

Village of Monroe Board of Trustees Meeting – September 14, 2023

To hear the entire text of this meeting please reference the audio on file in the Clerk's Office or video available at villageofmonroe.org.

PUBLIC HEARING 09.14.23 – 7:00PM

RESOLUTION #2 of 2023, AMENDMENTS TO THE COMPREHENSIVE PLAN

A Public Hearing was held on May 2, June 6, September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a resolution, "Amendments to the Comprehensive Plan." This resolution is for public review and input on the Draft Amended Comprehensive Plan.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

PUBLIC HEARING 09.14.23 – 7:00 PM

INTRODUCTORY LOCAL LAW #4 OF 2023, "VILLAGE OF MONROE LANDMARKS PRESERVATION"

A Public Hearing was held on May 2, June 6, September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law, titled "Village of Monroe Landmarks Preservation." This local law provides for the identification, protection, and perpetuation of buildings, structures, signs, features, improvements, sites, and areas within the Village of Monroe that reflect special elements of the Monroe's historical, architectural, cultural, economic or aesthetic heritage.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

PUBLIC HEARING 09.14.23 – 7:00 PM

INTRODUCTORY LOCAL LAW #5 OF 2023 "VILLAGE OF MONROE PLACE OF WORSHIP AND SCHOOLS"

A Public Hearing was held on May 2, June 6, September 5, and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Village of Monroe Place of Worship and Schools." This local law promotes individual constitutional rights to freedom of assembly and free exercise of religion by amending the zoning law to allow and regulate Residential Gathering Places, Neighborhood Places of Worship, Community Places of Worship, and Schools of General

Instruction in certain zoning districts while maintaining the established residential character and quality of life of existing neighborhoods, and protect the health, safety, and general welfare of Village of Monroe residents.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

Dan Richmond, Zarrin & Steinmetz, asked that the public hearing remain open or at least provide a time period for written comment to be submitted, due to the upcoming Jewish holidays, so that his clients have time to review this proposed local law in more depth. He feels the law is improper.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #6 OF 2023 AMENDMENT TO THE VILLAGE OF
MONROE ARCHITECTURAL REVIEW

A Public Hearing was held on May 2, June 6, September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Amendment to the Village of Monroe Architectural Review." This local law expands the existing authority for architectural review to special permits, and homes located in the Village of Monroe Historic District and/or is listed or eligible to be listed on the NYS Register of Historic Places.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #10 OF 2023 VILLAGE OF MONROE ILLEGAL
RESIDENTIAL OCCUPANCY

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Village of Monroe Illegal Residential Occupancy." This local law amends the zoning law to address the proliferation of illegal conversions of single- and two-family homes into multiple-dwelling units and illegal boarding houses, identifies the criteria by which the building department can presume an illegal conversion and imposes civil and criminal penalties upon conviction of same.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #11 OF 2023 VILLAGE OF MONROE PARKING OF
COMMERCIAL AND OVERSIZED VEHICLES AND EQUIPMENT**

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled “Village of Monroe Parking of Commercial and Oversized Vehicles and Equipment.” This local law regulates commercial vehicle parking and storage of any lot in the SR-20, SR-10, or UR-M zoning districts.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O’Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #12 OF 2023 VILLAGE OF MONROE BUILDING
HEIGHT AND FAR CLARIFICATION**

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled “Village of Monroe Building Height and FAR Clarification.” This local law refines the definitions associated with building height and floor area ratio and defines “grade plane” to prevent artificially increasing existing lot grade to thwart height and FAR regulations.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O’Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #13 OF 2023 VILLAGE OF MONROE LIGHT
INDUSTRY DISTRICT**

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled “Village of Monroe Light Industry District.” This local law establishes a

new use category, "Light Industry," and amends the zoning map so as to apply the new use to all lots currently zoned General Business (GB) and having frontage on New York State Route 208 or Gilbert Street Extension west of the Orange County Heritage Trail.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

Matt Liponis questioned if the grandfathering section 7 of the proposed local law remained the same or had changes been made. He was told it remains the same.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #14 OF 2023 VILLAGE OF MONROE REVISIONS
TO THE GENERAL BUSINESS (GB) ZONING DISTRICT BULK REGULATIONS

A Public Hearing was held on Tuesday, September 5, 2023 and September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Village of Monroe Revisions to the General Business (GB) Zoning District Bulk Regulations." This local law establishes a minimum floor area per tenant space for any new commercial buildings constructed within the Village but outside of the downtown (CB District).

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #15 OF 2023 VILLAGE OF MONROE GENERAL
ZONING MAP CHANGES

A Public Hearing was held on Tuesday, September 5, 2023 and September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Village of Monroe General Zoning Map Changes." This local law amends the zoning map to rezone one lot (SBL 213-1-6) located in the GB District into the adjacent CB District.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.05.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #16 OF 2023 VILLAGE OF MONROE MIXED-USE
MULTIFAMILY IN THE CB DISTRICT**

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled “Village of Monroe Mixed-Use Multifamily in the CB District.” This local law establishes a new use “Mixed-Use Multifamily Over Commercial,” in the Commercial Business (CB) District, with accompanying bulk and special permit requirements.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O’Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #17 OF 2023 VILLAGE OF MONROE
MULTIFAMILY CONVERSIONS**

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled “Village of Monroe Multifamily Conversions.” This local law modifies the use tables contained in the zoning law to eliminate “Commercial to Residential Conversions,” as listed in “Attachment 1 Table of District Uses and Bulk Regulations, CB District” and “Conversion of Existing Residential to Multifamily” and “Conversion of Existing Residential to two-family” as listed in “Attachment 5 Table of District Uses and Bulk Regulations, UR-M District.”

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O’Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #18 OF 2023 VILLAGE OF MONROE OUT OF
CHARACTER DWELLINGS**

A Public Hearing was held on Tuesday, September 5, 2023 and September 14, 2023 in the

boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Village of Monroe Out of Character Dwellings." This local law establishes thresholds applied to single-family home construction or expansion that, if exceeded, requires site plan approval to ensure that the house is in keeping with the neighborhood character.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**PUBLIC HEARING 09.14.23 – 7:00 PM
INTRODUCTORY LOCAL LAW #19 OF 2023 VILLAGE OF MONROE URBAN
RESIDENTIAL-MULTIFAMILY**

A Public Hearing was held on September 5 and Thursday, September 14, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law titled "Village of Monroe Urban Residential-Multifamily." This local law eliminates Urban Residential-Multifamily districts from vacant lands and lands that have not been approved or developed for multifamily or single-family attached residences.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00PM.

There were 8 people from the public present for the public hearing. Written correspondence was received and is attached for the amendments to the comprehensive plan and proposed local laws. The public hearing was left open for 25 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was adjourned at 7:25PM.

**VILLAGE OF MONROE
SPECIAL BOARD OF TRUSTEES MEETING
TUESDAY, SEPTEMBER 14, 2023
(www.villageofmonroe.org)**

The Special Meeting of the Board of Trustees was held on Thursday, September 14, 2023 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor Neil S. Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

Present: Mayor Dwyer; Trustees Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune, Clerk Zahra, and Planner Max Stach

ADOPTION – PART 2 OF THE ENVIRONMENTAL ASSESSMENT FORM (EAF):

RESOLVED, the Board of Trustees adopts part 2 of the EAF as submitted by the Village Planner Max Stach.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

ADOPTION – PART 3 OF THE ENVIRONMENTAL ASSESSMENT FORM (EAF):

RESOLVED, the Board of Trustees adopts part 3 of the EAF as submitted by the Village Planner Max Stach.

On a motion by Trustee Karl, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

ADOPTION – NEGATIVE DECLARATION:

RESOLVED, the Board of Trustees adopts the Negative Declaration as submitted by the Village Planner Max Stach.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

ADOPTION OF RESOLUTION #2 OF 2023 – “AMENDMENTS TO THE COMPREHENSIVE PLAN”:

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on May 2, June 6, September 5, and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on May 2, June 6, September 5, and September 14, 2023; and

WHEREAS, the proposed resolution amends the Comprehensive Plan and proposed introductory local laws that seek to implement the goals of said Plan; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Resolution, Amendments to the Comprehensive Plan, as attached is adopted as Resolution No. 2 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Resolution.
4. This Resolution shall be effective immediately.

**VILLAGE OF MONROE
RESOLUTION #2 of 2023
AMENDMENTS TO THE COMPREHENSIVE PLAN**

A copy of the Amended Comprehensive Plan can be viewed at Village Hall, 7 Stage Road or at villageofmonroe.org under the Comprehensive Plan.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

ADOPTION OF LOCAL LAW #7 OF 2023 – “VILLAGE OF MONROE LANDMARKS PRESERVATION”:

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on May 2, June 6, September 5, and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on May 2, June 6, September 5, and September 14, 2023; and

WHEREAS, the proposed local law provides for the identification, protection and

perpetuation of buildings, structures, signs, features, improvements, sites, and areas within the Village of Monroe that reflect special elements of the Monroe's historical, architectural, cultural, economic or aesthetic heritage; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Village of Monroe Landmarks Preservation, as attached is adopted as Local Law No. 7 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #7 of 2023
VILLAGE OF MONROE LANDMARKS PRESERVATION

See attached copy of local law (26 pages).

On a motion by Trustee Ferraro, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF INTRODUCTORY LOCAL LAW #5 OF 2023 – "VILLAGE OF MONROE PLACE OF WORSHIP AND SCHOOLS":

Tabled for further review. The Village received a letter from the State of New York Office of the Attorney General and the Board would like to reach out to see their concerns.

ADOPTION OF LOCAL LAW #8 OF 2023 – "AMENDMENT TO THE VILLAGE OF MONROE ARCHITECTURAL REVIEW":

The Roscoe Smith property has been removed from the State Register of Historic Places.

WHEREAS, the Village Board of the Village of Monroe, New York ("Village Board") duly noticed a public hearing held on May 2, June 6, September 5, and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on May 2, June 6, September 5, and September 14, 2023; and

WHEREAS, the proposed local law expands the existing authority for architectural review to special permits, and homes located in the Village of Monroe Historic District and/or is listed or eligible to be listed on the NYS Register of Historic Places; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Architectural Review, as attached is adopted as Local Law No. 8 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #8 of 2023
AMENDMENT TO THE VILLAGE OF MONROE ARCHITECTURAL REVIEW

See attached copy of local law (2 pages).

On a motion by Trustee Ferraro, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor
Nays: None

ADOPTION OF LOCAL LAW #9 OF 2023 – “VILLAGE OF MONROE ILLEGAL RESIDENTIAL OCCUPANCY”:

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law amends the zoning law to address the proliferation of illegal conversions of single- and two-family homes into multiple-dwelling units and illegal boarding houses, identifies the criteria by which the building department can presume an illegal conversion and imposes civil and criminal penalties upon conviction of same; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Architectural Review, as attached is adopted as Local Law No. 9 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #9 of 2023
VILLAGE OF MONROE ILLEGAL RESIDENTIAL OCCUPANCY

See attached copy of local law (7 pages).

On a motion by Trustee Karl, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor
Nays: None

ADOPTION OF LOCAL LAW #10 OF 2023 – “VILLAGE OF MONROE PARKING OF COMMERCIAL AND OVERSIZED VEHICLES AND EQUIPMENT”:

This local law does not apply to delivery vehicles or vehicles involved in duly permitted construction occurring at the site.

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law regulates commercial vehicle parking and storage on any lot in the SR-20, SR-10, or UR-M zoning districts; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Parking of Commercial and Oversized Vehicles and Equipment, as attached is adopted as Local Law No. 10 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.

4. This Resolution shall be effective immediately.

**VILLAGE OF MONROE
LOCAL LAW #10 of 2023
VILLAGE OF MONROE PARKING OF COMMERCIAL AND OVERSIZED
VEHICLES AND EQUIPMENT**

See attached copy of local law (3 pages).

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

**ADOPTION OF LOCAL LAW #11 OF 2023 – “VILLAGE OF MONROE BUILDING
HEIGHT AND FAR CLARIFICATION”:**

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law refines the definitions associated with building height and floor area ratio and defines “grade plane” to prevent artificially increasing existing lot grade to thwart height and FAR regulations; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Building Height and FAR Clarification, as attached is adopted as Local Law No. 11 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

**VILLAGE OF MONROE
LOCAL LAW #11 of 2023
VILLAGE OF MONROE ILLEGAL RESIDENTIAL OCCUPANCY**

See attached copy of local law (7 pages).

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

**ADOPTION OF LOCAL LAW #12 OF 2023 – “VILLAGE OF MONROE LIGHT
INDUSTRY DISTRICT”:**

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law establishes a new use category, “Light Industry,” and amends the zoning map so as to apply the new use to all lots currently zoned General Business (GB) and having frontage on New York State Route 208 or Gilbert Street Extension west of the Orange County Heritage Trail; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Light Industry District, as attached is adopted as Local Law No. 12 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #12 of 2023
VILLAGE OF MONROE LIGHT INDUSTRY DISTRICT

See attached copy of local law (5 pages).

On a motion by Trustee Karl, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF LOCAL LAW #13 OF 2023 – "VILLAGE OF MONROE REVISIONS TO THE GENERAL (GB) ZONING DISTRICT BULK REGULATIONS":

WHEREAS, the Village Board of the Village of Monroe, New York ("Village Board") duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law establishes a minimum floor area per tenant space for any new commercial buildings constructed within the Village but outside of the downtown (CB District); and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Revisions to the General Business (GB) Zoning District Bulk Regulations, as attached is adopted as Local Law No. 13 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #13 of 2023
VILLAGE OF MONROE REVISIONS TO THE GENERAL (GB) ZONING DISTRICT
BULK REGULATIONS

See attached copy of local law (2 pages).

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF LOCAL LAW #14 OF 2023 – "VILLAGE OF MONROE GENERAL ZONING MAP CHANGES":

WHEREAS, the Village Board of the Village of Monroe, New York ("Village Board") duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law amends the zoning map to rezone one lot (SBL 213-1-6) located in the GB District into the adjacent CB District; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe General Zoning Map Changes, as attached is adopted as Local Law No. 14 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #14 of 2023
VILLAGE OF MONROE GENERAL ZONING MAP CHANGES

See attached copy of local law (8 pages).

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF LOCAL LAW #15 OF 2023 – "VILLAGE OF MONROE MIXED-USE MULTIFAMILY IN THE CB DISTRICT":

WHEREAS, the Village Board of the Village of Monroe, New York ("Village Board") duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law establishes a new use "Mixed-Use Multifamily Over Commercial," in the Commercial Business (CB) District, with accompanying bulk and special permit requirements; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Mixed-Use Multifamily in the CB District, as attached is adopted as Local Law No. 15 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #15 of 2023
VILLAGE OF MONROE MIXED-USE MULTIFAMILY IN THE CB DISTRICT

See attached copy of local law (3 pages).

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF LOCAL LAW #16 OF 2023 – "VILLAGE OF MONROE

MULTIFAMILY CONVERSIONS:

WHEREAS, the Village Board of the Village of Monroe, New York ("Village Board") duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law modifies the use tables contained in the zoning law to eliminate "Commercial to Residential Conversions," as listed in "Attachment 1 Table of District Uses and Bulk Regulations, CB District" and "Conversion of Existing Residential to Multifamily" and "Conversion of Existing Residential to two-family" as listed in "Attachment 5 Table of District Uses and Bulk Regulations, UR-M District."; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Multifamily Conversions, as attached is adopted as Local Law No. 16 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #16 of 2023
VILLAGE OF MONROE MULTIFAMILY CONVERSIONS

See attached copy of local law (2 pages).

On a motion by Trustee Ferraro, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF LOCAL LAW #17 OF 2023 – "VILLAGE OF MONROE OUT OF CHARACTER DWELLINGS":

WHEREAS, the Village Board of the Village of Monroe, New York ("Village Board") duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law establishes thresholds applied to single-family home construction or expansion that, if exceeded, requires site plan approval to ensure that the house is in keeping with the neighborhood character; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Out of Character Dwellings, as attached is adopted as Local Law No. 17 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

VILLAGE OF MONROE
LOCAL LAW #17 of 2023
VILLAGE OF MONROE OUT OF CHARACTER DWELLINGS

See attached copy of local law (3 pages).

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

ADOPTION OF LOCAL LAW #18 OF 2023 – “VILLAGE OF MONROE URBAN RESIDENTIAL-MULTIFAMILY”:

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on September 5 and September 14, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on September 5 and September 14, 2023; and

WHEREAS, the proposed local law eliminates Urban Residential-Multifamily districts from vacant lands and lands that have not been approved or developed for multifamily or single-family attached residences; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Local Law, Amendment to the Village of Monroe Urban Residential-Multifamily, as attached is adopted as Local Law No. 18 of 2023 of the Village of Monroe on September 14, 2023.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

**VILLAGE OF MONROE
LOCAL LAW #18 of 2023
VILLAGE OF MONROE URBAN RESIDENTIAL-MULTIFAMILY**

See attached copy of local law (9 pages).

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

CODE VIOLATIONS – 99 SPRING STREET – TM #207-3-15 – PAYMENT PLAN - CONTINUED:

(Meeting Minutes 9-5-2023)

This matter was in justice court for various code violations in 2022. As part of those proceedings, the Defendant plead guilty and a fine of \$ 75,000 was imposed. The defendant did not pay the fine as per the Court's ordered schedule. As a result, the Court signed a judgment which was recorded against the Orange County Land Records and has become a lien against the property in December of 2022. Although the property has changed hands, the lien is a valid and an enforceable lien against the property.

The new owner is seeking financing and must resolve the judgment in order to obtain that financing. Jim Cocks flagged it as part of a municipal search. Counsel to the property owner has asked for a payment plan so that the full amount plus interest is paid by the end of the year. Attorney Elizabeth Cassidy has prepared a draft stipulation for the Board's consideration. She is asking the Board to authorize her to enter the stipulation on behalf of the Village so that we can receive payment on the judgment.

It is her recommendation that the Board approve the stipulation. Attorney Elizabeth Cassidy notes for the Board that absent voluntary payment, the Village's recourse is to commence enforcement proceedings through the Sheriff's office which includes costs and additional attorney fees that ultimately diminish the value of the judgment and the benefit

to the Village. The proposed payment plan does not reduce the amount owed to the Village and collects 9 % interest from December 2022 through September 2023. If they do not pay on time, the stipulation provides (1) that the judgment remains on the land records and (2) statutory interest accrues on any unpaid balance.

RESOLVED, the Board of Trustees approves the stipulation and grants a payment plan for 99 Spring Street, TM #207-3-15.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

AUTHORIZATION TO ADVERTISE – PART-TIME ZONING BOARD OF APPEALS SECRETARY:

RESOLVED, the Board of Trustees authorize the Village Clerk to advertise for the position of Part-Time Zoning Board of Appeals Secretary.

On a motion by Trustee O'Connor, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl, and O'Connor

Nays: None

AUTHORIZATION TO ADVERTISE – PART-TIME PLANNING BOARD SECRETARY:

RESOLVED, the Board of Trustees authorize the Village Clerk to advertise for the position of Part-Time Planning Board Secretary.

On a motion by Trustee O'Connor, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl, and O'Connor

Nays: None

RESIGNATION – C. BREEN – VILLAGE INTERN:

RESOLVED, the Board of Trustees accepts the resignation of Village Intern Christopher Breen effective September 6, 2023. The Board of Trustees wishes Chris well in his future endeavors.

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

INTRO TO RESOLUTION #X of 2023 – MODIFICATIONS TO CHAPTER 43 OF THE VILLAGE CODE “VEHICLES AND TRAFFIC” TO PROHIBIT VEHICLE PARKING OR STANDING ON THE ENTIRE LENGTH OF BROOKS AVENUE UP TO FOREST AVENUE & SET PUBLIC HEARING:

**VILLAGE OF MONROE
RESOLUTION INTRODUCING MODIFICATIONS TO CHAPTER 43 OF THE
VILLAGE CODE “VEHICLES AND TRAFFIC” TO PROHIBIT VEHICLE PARKING
OR STANDING ON THE ENTIRE LENGTH OF BROOKS AVENUE UP TO FOREST
AVENUE**

WHEREAS, after consultation with the Chief of Police of the Village of Monroe Police Department, the Board of Trustees determined that vehicles parked or standing along the entire length of Brooks Avenue up to Forest Avenue and, therefore, pose a threat to the health and

welfare of Village residents and visitors; and

WHEREAS, New York State Village Law 4-412 confers authority on the Board of Trustees to manage village property including specific authorization to take all actions not inconsistent with general law and the provisions of the New York State Constitution to protect the safety, health, comfort and general welfare of Village inhabitants; and

WHEREAS, Section 43-9A of the Village Code authorizes the Board of Trustees by duly enacted resolution to prohibit parking on Village streets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees shall convene a public hearing at 7:00 PM on September 26, 2023, to consider a resolution that would prohibit vehicles from parking or standing along Brooks Avenue between the intersections of Charlton Place and Forest Avenue.

BE IT FURTHER RESOLVED, that the Village Clerk shall cause a Notice of Hearing to be published in the official newspaper not less than five (5) days before the public hearing.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl, and O'Connor

Nays: None

INTRO TO LOCAL LAW #X OF 2023 – AMENDING CHAPTER 43 OF THE VILLAGE CODE “VEHICLES AND TRAFFIC” TO IMPOSE A NO-PARKING RESTRICTION ON VILLAGE STREETS FROM 10:00 P.M. TO 6:00 A.M. FROM NOVEMBER 1ST TO APRIL 1ST & SET PUBLIC HEARING:

**VILLAGE OF MONROE
RESOLUTION INTRODUCING LOCAL LAW TITLED
AMENDING CHAPTER 43 OF THE VILLAGE CODE “VEHICLES AND TRAFFIC”
TO IMPOSE A NO-PARKING RESTRICTION ON VILLAGE STREETS FROM
NOVEMBER 1ST TO APRIL 1ST**

BE IT RESOLVED that an introductory Local Law, titled “AMENDING CHAPTER 43 OF THE VILLAGE CODE “VEHICLES AND TRAFFIC” TO IMPOSE A NO-PARKING RESTRICTION ON VILLAGE STREETS FROM 10:00 P.M. TO 6:00 A.M. FROM NOVEMBER 1ST TO APRIL 1ST,” is hereby introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees shall hold a public hearing on said proposed local law at the Village Hall, 7 Stage Road, Monroe, New York at 7:00 PM on

September 26, 2023; and

BE IT FURTHER RESOLVED that the Village Clerk shall publish or cause to be published a public notice in the official newspaper of the Village of Monroe no later than five (5) days prior thereto.

On a motion by Trustee Karl seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl, and O'Connor

Nays: None

**INTRO TO LOCAL LAW #X OF 2023 – AMENDMENT TO LOCAL LAW #4 OF 2021
ESTABLISHING FLOOR AREA RATIOS FOR SINGLE-FAMILY DETACHED
DWELLINGS AND TWO-FAMILY DWELLINGS IN THE VILLAGE OF MONROE &
SET PUBLIC HEARING:**

WHEREAS, an introductory Local Law, titled “**AMENDMENT TO LOCAL LAW NO. 4 OF 2021 ESTABLISHING FLOOR AREA RATIOS FOR SINGLE-FAMILY DETACHED DWELLINGS AND TWO-FAMILY DWELLINGS IN THE VILLAGE OF MONROE,**” was introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

WHEREAS, the Board of Trustees finds that it is appropriate to clarify its intent as to the application of the existing floor area ratio (FAR) bulk regulations to all single-family detached dwellings and all two-family dwellings in all districts; and

WHEREAS, the Board of Trustees also finds that the FAR is intended to be strictly enforced and relief should be granted only in extraordinary circumstances; and

WHEREAS, the Board of Trustees finds and determines that amending the language that applies to exemptions from FAR and strengthening its intent to enforce said FAR will serve to effectuate its original intent.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees shall hold a public hearing on said proposed local law at the Village Hall, 7 Stage Road, Monroe, New York at 7PM on October 3, 2023; and

BE IT FURTHER RESOLVED that the Village Clerk shall publish or cause to be published a public notice in the official newspaper of the Village of Monroe no later than ten (10) days prior thereto.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl, and O'Connor

Nays: None

MAYOR & TRUSTEE'S REPORT:

Nothing to report.

ATTORNEY'S REPORT:

Nothing to report.

PUBLIC COMMENT: **# PRESENT 9** **TIME: 7:55PM**

Sal Amante, 30 Charlton Place, asked when the local laws adopted this evening would take effect and how would they be enforced. Attorney Terhune said the local laws take effect once they are sent to the Department of State and they will be enforced through regular channels.

Simon Jacobowitz asked for confirmation that his comments for the Amended Comprehensive Plan and local laws had been received via email.

EXECUTIVE SESSION:

On a motion by Trustee Karl, seconded by Trustee Behringer, and carried, following a 5-minute recess, the Board convened in Executive Session at 8:05PM for discussion of pending litigation matters.

OPEN SESSION:

On a motion by Trustee Karl, seconded by Trustee Behringer, and carried, the Open Meeting resumed at 9:50PM.

INTRO TO LOCAL LAW #X OF 2023 – AMENDMENT TO CHAPTER 200, ZONING, TO REGULATE PREEXISTING NONCONFORMING BULK & SET PUBLIC HEARING:

**VILLAGE OF MONROE
AMENDMENT TO CHAPTER 200, ZONING, TO REGULATE PREEXISTING
NONCONFORMING BULK**

WHEREAS, an introductory Local Law, titled “VILLAGE OF MONROE AMENDMENT TO CHAPTER 200, ZONING, TO REGULATE PREEXISTING NONCONFORMING BULK,” was introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

WHEREAS, The Village Board of Trustees finds that modifications, alterations, or construction that increases nonconformity with the Village’s bulk regulations negatively impacts the existing character of Village neighborhoods.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees shall hold a public hearing on said proposed local law at the Village Hall, 7 Stage Road, Monroe, New York at 7:00 PM on October 3, 2023, and

BE IT FURTHER RESOLVED that the Village Clerk shall publish or cause to be published a public notice in the official newspaper of the Village of Monroe no later than ten (10) days prior thereto.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, and Karl

Nays: None

Absent: Trustee O'Connor

ADJOURNMENT:

On a motion by Trustee Karl, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 9:50PM.

Respectfully Submitted,

**Kimberly Zahra
Village Clerk**

**VILLAGE OF MONROE
LOCAL LAW 7 of 2023**

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This local law shall be known and may be cited as the Village of Monroe Landmarks Preservation Local Law.

Section 2. Legislative Purpose.

The Board of Trustees of the Village of Monroe (“Village Board”) finds that there exist within the Village buildings and structures that have a special character or special historical or aesthetic interest or value in American history, architecture and culture; that it is feasible to preserve and continue the use of such improvements; and that such improvements face the danger of being uprooted and destroyed without adequate consideration of the irreplaceable loss to the people of the Village of Monroe of the aesthetic, cultural and historical values represented by such improvements. It is the sense of the Village Board that the standing of Monroe as a community steeped in the history and culture of Orange County and the Hudson Valley region requires the maintenance and enhancement of the historical, aesthetic, cultural and architectural heritage of the Village.

Further, the Village Board finds that there exist within the Village of Monroe places, sites, structures and buildings of historic or architectural significance, antiquity, uniqueness of exterior design or construction, which should be conserved, protected and preserved to maintain the architectural character of the Village, to contribute to its aesthetic value and to promote the general good, welfare, health and safety of its residents.

The purpose of this local law is to promote the general welfare by providing for the identification, protection, enhancement, perpetuation, and use of buildings, structures, signs, features, improvements, sites, and areas within the Village of Monroe that reflect special elements of the Monroe’s historical, architectural, cultural, economic or aesthetic heritage for the following reasons:

- (a) To foster public knowledge, understanding, and appreciation in the beauty and character of the Village of Monroe and in the accomplishments of its past;
- (b) To ensure the harmonious, orderly, and efficient growth and development of the Village

Monroe;

- (c) To enhance the visual character of the city by encouraging new design and construction that complements Monroe's historic buildings;
- (d) To protect and promote the economic benefits of historic preservation to the Village of Monroe, its inhabitants and visitors;
- (e) To protect property values;
- (f) To promote and encourage continued private ownership and stewardship of historic structures;
- (g) To identify as early as possible and resolve conflicts between the preservation of historic landmarks/districts and alternative land uses; and
- (h) To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

Section 3. Enabling Authority.

Pursuant to Article 5, § 96-a; Article 5-G, Article 5-J and Article 5-K, § 119-dd of the General Municipal Law; Article 14 of the Parks, Recreation and Historic Preservation Law; and § 10 of the Municipal Home Rule Law; it is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts are necessary to promote the cultural, economic and general welfare of the public.

Section 4. Creation of Article XIX. Historic Preservation Commission; local landmarks and local historic districts.

Chapter 200, Zoning, of the Village of Monroe is hereby amended to add a new Article XIX, as follows:

“Article XIX. Historic Preservation Commission; local landmarks and local historic districts.

§200-79. Historic Preservation Commission.

A. HPC created. There is hereby created a HPC to be known as the Village of Monroe Historic Preservation HPC (HPC). For purposes of this local law, the Planning Board shall be the HPC. Appointments, terms of office, vacancies, reappointments, and terms of membership shall be as set forth for the Planning Board.

B. Organization.

- (1) Chairperson; designation and duties. The Chairperson shall be the Chairperson of the Planning Board. The chairperson shall have the right to vote in all matters before the HPC.

All meetings of the HPC shall be held at the call of the Chairperson and at such other times as the HPC may determine by affirmative vote.

- (2) Secretary. The Secretary shall be the Secretary of the Planning Board.
- (3) Quorum. A simple majority of the HPC shall constitute a quorum for the transaction of business. An affirmative majority vote of the full HPC is required to approve any resolution, motion or other matter before the HPC.
- (4) Records. The HPC shall be subject to the provisions of the Public Officers Law, including Article 7 related to the Open Meetings Law. The HPC records shall be readily available to the public. The vote or failure to vote of each HPC member shall be recorded. If any HPC member abstains from voting based on a conflict of interest or otherwise, the member must also state his or her reason(s) or ground(s) for doing so on the record.

C. Powers and Duties of the Historic Preservation HPC.

(1) General and Advisory Powers. The HPC shall, from time to time:

- (a) Review any local laws or regulations, including existing landmarks or historic preservation laws or regulations in the Village of Monroe, and recommend to the Village Board any changes and amendments thereto;
- (b) Recommend to the Village Board additional regulations to be adopted by local law that may be necessary for the HPC to conduct its business, consistent with the scope and intent of this local law;
- (c) Recommend to the Village Board specific criteria for regulations to be adopted by local law that identify and catalogue significant historic landmarks, and from time to time advise it on suggested changes thereto;
- (d) Recommend to the Village Board landmarks and historic districts to be adopted by local law, and from time to time changes thereto;
- (e) Maintain an inventory of locally-designated historic resources or districts within the Village of Monroe and publicize the inventory;
- (f) Recommend to the Village Board additional criteria to be adopted in local law to be used when evaluating applications for a certificate of appropriateness;
- (g) Recommend to the Village Board proposals for the acquisition of preservation easements or other interests in real property;
- (h) Conduct investigations, prepare maps, reports and recommendations in connection with its advisory authority relating to the planning, development and administration of the Village of Monroe landmarks preservation policies, regulations and local law as needed, provided the total expenditures of said HPC shall not exceed the appropriation provided by the Village Board together with any public or private grant funding received by the Village for the HPC to undertake its landmarks preservation powers and duties.
- (i) Report on matters referred to it by the Village Board. The Village Board may by resolution provide for the referral to the HPC for a report on any matter or class of

matters that impact the municipality's landmarks preservation local law, policies, regulations or administrative processes before final action is taken thereon by the Village Board or other office of said Village Board having final authority over said matter. The Village Board may further stipulate that final action thereon shall not be taken until the HPC has submitted its report thereon, or has had a reasonable time, to be fixed by the Village Board in said resolution, to submit the report.

(b) Administrative Reviews. In accordance with the regulations adopted by the Village of Monroe for landmarks and historic preservation purposes, the HPC shall:

- (1) Evaluate an application for a certificate of appropriateness; approve, approve with modifications, or deny any proposal for exterior changes to a designated individual landmark or property within a designated historic district resulting from any such application;
- (2) Evaluate an application for a certificate of economic hardship; approve, approve with modifications, or deny any such application;
- (3) Evaluate an application for a certificate of appropriateness for demolition, removal or relocation; approve, approve with modifications, or deny any such application;
- (4) Evaluate, without public hearing, an application for ordinary maintenance and repair of historic resources, properties or landmarks; approve, approve with modifications, or deny any such applications;
- (5) Perform other functions that the Village Board may designate by local law.

D. Cooperation of Village of Monroe Departments. All Village departments shall, upon request of the HPC, assist and furnish available permits, plans, reports, maps and statistical and other information which the HPC may require for its work.

§200-79. Criteria for Designating Landmarks or Historic Districts.

A. The HPC may delineate landmarks or historic districts and recommend them to the Village Board for designation under local law. Nothing herein shall limit the Village Board from conducting designations under its own initiative.

- (1) Individual landmark: The HPC may delineate an individual property as an individual landmark if it:
- (a) exemplifies or possesses special character, or historic or aesthetic interest of value as part of the political, economic, or social history of the Village of Monroe;
 - (b) is identified with persons or events significant in local, state, or national history;
 - (c) embodies the distinguishing characteristics of a type, period or method of construction or design style, or is a valuable example of the use of indigenous materials or craftsmanship; or is representative of the work of a designer, architect or builder;
 - (d) represents an established and familiar visual feature of the community by virtue of its unique location or singular physical characteristic, represents an established and

- familiar visual feature of the community; or
 - (e) has yielded or may be likely to yield information important in prehistory or history.
 - (2) Historic district. The HPC may delineate a group of properties within the Village of Monroe as an historic district if a majority of properties therein:
 - (a) contain properties which meet one or more of the criteria for designation as a landmark and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district; and
 - (b) constitute a unique section of the Village of Monroe by reason of possessing those qualities that would satisfy such criteria.
 - (3) Interior landmark. The HPC may delineate the interior of a property as an interior landmark if such interior has special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the village, town, city, state or nation and:
 - (a) it is customarily open or accessible to the public; or
 - (b) it is an interior into which the public is customarily invited.
 - (4) Scenic landmark. The HPC may delineate a landscape feature or group of features. Recommendations for designation must be accompanied by such historical and architectural information as is required by the HPC to make an informed recommendation concerning the application, together with any fee set by the Village of Monroe Village Board.
 - (5) National Register and State Register of Historic Places: The Village Board may designate any properties, structures, buildings or districts which are listed on the National Register of Historic Places, State Register of Historic Places, or eligible for listing on the National or State Register of Historic Places and such designations carry the presumption that they are locally historic.
- B. The boundaries of each landmark, interior landmark, scenic landmark or historic district shall be specified in detail with reference to the tax map identification number and shall be filed, in writing, in the Village of Monroe Clerk's office and there made available for review by the public.
- C. Properties that have achieved significance within the past fifty (50) years are ordinarily not considered eligible for delineation under this landmarks preservation local law or local law adopted by the Village of Monroe Village Board. However, such properties will qualify if they are:

- (1) Integral parts of historic districts that meet the criteria for designation; or
- (2) If they are properties of exceptional importance.

§200-80. Designation process.

A. Notice and Hearing Requirements for Proposed Designation. Individual landmarks or historic districts shall be designated in the following manner:

(1) Initiation of proposed designation.

- (a) Designation of an individual historic landmark or historic district may be proposed by the HPC, by the owner of the property, or by any resident of the Village of Monroe, or by the Village Board on its own initiative.
- (b) Work moratorium. Once the Village Board has issued notice of a proposed designation, it may place a moratorium on the subject property prohibiting any work relating to the individual landmark or district proposed for designation as long as the proposed designation is under active consideration and until the Village Board has made its decision on designation.

(2) Public hearing; general notice.

- (a) Within a reasonable time after receipt of a full application or other matter referred to it, the Village Board shall schedule a public hearing on all proposed resource, individual, landmark or historic district designations. Public notice of any such hearing shall be given by publication in a newspaper of general circulation within the Village of Monroe at least ten (10) days prior to the public hearing date.
- (b) The Village Board, property owners, and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed resource, individual, landmark or historic district.

(3) Notice of public hearing; multiple properties proposed for designation.

- (a) Ten properties or less. Notice of public hearing for a proposed designation involving no more than ten properties shall be sent by certified mail/return receipt requested or courier service with proof of delivery or personal service with proof of delivery to the owners of properties located within the area of the proposed historic district at least ten (10) days prior to the date of the public hearing. Such notice shall include a description of the properties proposed for designation and state the time and place where any public hearing to consider such designation will be held by the Village Board.
- (b) More than ten properties. Where the proposed designation of an historic district includes more than ten properties and the Village Board deems individual notice infeasible, notice may instead be published at least once in newspaper of general circulation in the Village of Monroe ten (10) days prior to the date of the public hearing. The notice shall specify the time and place of the public hearing, a brief description of

the proposed designation, and the location where the proposal may be reviewed prior the hearing.

- (6) Permits not issued. Once the Village Board has issued notice of a proposed designation, no building or demolition permits may be issued for the property(ie) by any Village of Monroe department or agency until such time that the designation process is complete.
- (7) Record.
 - (a) The Village Board, or HPC when so requested by the Village Board, shall compile a public record in support of its designation of a landmark or historic district. In addition to testimony or documentary evidence received at any public hearing, the record may also contain reports, public comments, expert testimony, or other evidence offered outside of the hearing, but submitted for the Village Board's consideration by the date of the hearing. At a minimum, the record of the designation shall contain the application, HPC and/or staff reports, any comments made on the application at the public hearing, and the Village Board's decision to approve, approve with modifications, or deny the application requesting designation.
 - (b) Where a property is already listed on the National Register of Historic Places or the State Register of Historic Places, or eligible for listing on the National or State Registers, the record for said listing may be deemed the record for designation of a landmark or historic district in accordance with this local law.
- (8) Decision. Within sixty-two (62) days after the close of the public hearing, the Village Board shall by resolution undertake a designation in whole or in part, or shall disapprove in entirety, setting forth in writing the reasons for the decision. Within seven (7) days, the Village Board shall send notice of its designation to the applicants and owners of a designated property by certified mail return receipt requested, or in the case of a designated historic district, the Village Board shall send notice by certified mail return receipt requested to the applicants and owners of all properties within the approved district, as well as to the governing board of the municipality.
- (9) Filing. The Village Board shall forward notice of each property designated as an individual landmark and the boundaries of each designated historic district to the building department and planning department and Village of Monroe Clerk which shall be maintained in the Village's files.
- (10) Failure to Send Notice. Failure to send any notice by mail to any property owners where the address of such owner is not a matter of property tax records shall not invalidate any proceedings in connection with the proposed designation.
- (11) Amendment or Rescission. The Village Board may amend or rescind any designation of an individual landmark or historic district in the same manner and using the same procedures as followed for designation.

§200-81. Certificate of Appropriateness for Alteration, Demolition, or New Construction Affecting Individual Landmarks or Historic Districts.

- A. Authority. The HPC is responsible for the approval or disapproval of proposals for exterior changes to a historic property designated under this local law. No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, or move a designated historic landmark or property within a designated historic district without first obtaining a Certificate of Appropriateness that authorizes such work from the HPC.
- B. All changes to Village of Monroe owned property affecting an individual landmark or within a historic district shall be subject to the provisions of this Article.
- C. The building department shall receive and file all applications issued for any individual landmark, or landmarks or historic district to which this Article applies. The building department shall transmit a copy of any such application to the HPC.
- D. The HPC may require that the application for certificate of appropriateness be supplemented by such additional information or materials as may be necessary for a complete review by the HPC. The HPC shall append the renderings, materials and material specifications approved and shall require conformance of same as a condition of approval. The HPC may impose such reasonable conditions or restrictions as it deems necessary or appropriate on a case-by-case basis to promote or achieve the purpose of this Article. Any deviation from the approved renderings, materials, material specifications or other imposed conditions or restrictions shall require an amendment to the approval by the HPC.
- E. Criteria for Issuing a Certificate of Appropriateness.
 - (1) Certificate of appropriateness; general criteria. The HPC shall approve the issuance of a certificate of appropriateness only if it determines that the proposed work will not have a substantial adverse effect on the aesthetic, historical, or architectural significance and value of the individual landmark or if the proposed work is within a historic district, proposed work will not have a substantial adverse effect on the aesthetic, historical, or architectural significance of the property itself, the district or neighboring properties in such district.
 - (2) In making this determination, the HPC's decision to approve, approve with modification(s) or deny an application for a certificate of appropriateness for an individual landmark, interior landmark, scenic landmark will be guided by the Secretary of the Interior's Standards for Rehabilitation and by the following principles:
 - (a) the HPC's decision to approve, approve with modification(s) or deny an application for a certificate of appropriateness for an improvement to property located within a historic district shall be based on the following principles:
 - [1] properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
 - [2] any alteration of existing properties shall be compatible with the surrounding historic district; and

- [3] new construction shall be compatible with the historic district in which it is located;
- (b) In applying the principle of compatibility set forth in this subsection (2), the HPC shall consider the following factors:
 - [1] the general design and character of the proposed alteration or new construction relative to existing features of the property or improvement;
 - [2] the scale and visual compatibility of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;
 - [3] texture and materials, and their relation to similar features of the property and other properties in the neighborhood;
 - [4] visual compatibility with surrounding properties, including proportion of the property's facade, proportion and arrangement of windows and other openings within the facade, roof shape, and the rhythm of spacing of properties on streets, including setback; and
 - [5] the importance of historic physical and visual features to the significance of the property.
- (c) In approving an application for a certificate of appropriateness, the HPC shall find that the building or structure for which the permit was requested, if erected or altered in accordance with the submitted plan or with stated modifications, would be consistent with the spirit and intent of this Article, would not be visually offensive or inappropriate by reason of poor quality of exterior design, monotonous similarity or visual discord in relation to the sites or surroundings, would not mar the appearance of the area, would not impair the use, enjoyment and desirability or reduce the values of properties in the area, would not be detrimental to the character of the neighborhood, would not prevent an appropriate development and utilization of the site or of adjacent lands and would not adversely affect the functioning, economic stability, prosperity, health, safety and general welfare of the community.
- (3) Where the HPC grants a certificate of appropriateness under circumstances where the permitted activity is likely to uncover or affect archaeological resources, the HPC shall require reasonable efforts to protect and preserve such resources. Where such protection and preservation is not feasible, the HPC shall nonetheless impose appropriate and reasonable conditions to insure that the archaeological resource is made accessible for a reasonable period to qualified persons.

F. Certificate of Appropriateness Application Procedure.

- (1) Prior to the commencement of any work requiring a certificate of appropriateness, the property owner shall file an application for a building permit with the Village of Monroe Building Official and an application for such certificate with the HPC.
- (2) The application for certificate of appropriateness shall contain:

- (a) name, address, and telephone number of applicant;
 - (b) building permit application number as assigned by the building department
 - (c) location and photographs of property;
 - (d) elevation drawings of proposed changes, if available;
 - (e) perspective drawings, including relationship to adjacent properties, if available;
 - (f) samples of building materials to be used, including their proposed color;
 - (g) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property; and any other information which the HPC may deem necessary in order to visualize the proposed work.
- (3) Upon receipt of all the information required herein, the HPC shall deem the application complete and shall place the application on the agenda of the next meeting of the HPC.
- (4) Upon submission of a complete application, the HPC shall have the authority to, without public hearing and notice:
- (a) determine whether the proposed work constitutes ordinary maintenance and repair for which a certificate of appropriateness is not required;
 - (b) approve work which is considered replacement-in-kind;
 - (c) approve work that is of any other type that has been previously determined by the HPC to be appropriate for delegation to staff.
- (5) The HPC is required to report to the Village Board on a monthly basis on all activities for which applications were submitted and decisions were made without any public hearing and notice.

G. Certificate of Appropriateness Public Notice Requirements.

- (1) Upon application for a certificate of appropriateness, public notice of the application shall be posted by the owner or owner's representative on the property for a minimum of ten (10) days. This notice must remain in place until a decision to approve or deny the certificate of appropriateness has been made. The notice shall specify the proposed work, the time and place of the public hearing, and to whom and by when any public comments are to be communicated. The notice must be placed at or near the property line in the front yard so that it will be plainly visible from the street, and, in cases where a property has frontage on more than one street, an additional sign must be placed at or near the property line on any additional street frontage so that the sign will be plainly visible from the street on which it has such additional frontage.
- (2) The HPC shall hold a public hearing prior to rendering a decision on any application for a certificate of appropriateness once the application is deemed complete. Notice of the public hearing shall be published in a newspaper of general circulation in the Village of Monroe

at least ten (10) calendar days prior to the public hearing date. The notice shall specify the time and place of the public hearing, a brief description of the proposal, and the location where the proposal may be reviewed prior to the hearing. The property owner and any interested party may present testimony or documentary evidence regarding the proposal at the hearing, which will become a part of the record.

- (3) Within sixty-two (62) days after the close of the public hearing, the HPC shall approve, approve with conditions, or deny the certificate of appropriateness.
- (4) All decisions of the HPC shall be in writing. A copy shall be sent to the applicant by certified mail/return receipt, and a copy filed with the Building Inspector and Village Clerk within ten (10) days of the date of the decision. The HPC's decision shall state the reasons for denying or modifying any application.

- H. Other permits and approvals. The certificate of appropriateness required by this Article shall be in addition to and not in lieu of any building permit or other land use approval that may be required by any other local law or regulation of the Village of Monroe.
- I. Expiration of approval; extensions. Certificates of appropriateness shall be valid for 24 months, after which time the owner shall apply for a new certificate if he/she still wishes to undertake work on the property. At least two months prior to expiration of the 24-month period, the owner may apply, in writing, for an extension and shall explain the reasons for the extension request. The HPC may grant up to two (2) extensions of six (6) months each. A written application for an extension of a certificate of appropriateness approval shall not be considered an application for a new certificate of appropriateness.

§200-82. Alteration Hardship Process and Criteria.

- A. An applicant whose certificate of appropriateness for a proposed alteration of a landmark property has been denied may apply for relief on the ground of economic hardship. In order to prove the existence of economic hardship related to a proposed alteration, the applicant shall establish that the denial of a certificate of appropriateness will prevent the property owner from earning a reasonable return on investment, regardless of whether that return represents the most profitable return possible.
- B. As promptly as is practicable after making a preliminary determination of hardship as provided in this Article, the HPC, with the aid of such experts as it deems necessary, shall, in consultation with the applicant, endeavor to develop a plan whereby the improvement may be preserved and perpetuated in such manner as to effectuate the purpose of this Article, and also rendered capable of earning a reasonable return.
- C. Consultation; plan development. The applicant shall consult in good faith with the HPC, local preservation groups, and other interested parties in a diligent effort to seek an alternative that will result in appropriate preservation of the property. The consulting parties may include interested purchasers, as well as preservation and other interested organizations, public agencies, developers, real estate agents and individuals who may be instrumental in developing

an economically feasible solution.

- D. Economic Hardship; criteria. Following the denial of a certificate of appropriateness, the applicant may request a certificate of economic hardship. In all cases other than a proposed demolition, removal or relocation, the applicant shall prove the existence of economic hardship by demonstrating to the HPC that: (1) the applicant cannot realize a reasonable return if compliance with the HPC's decision is required, provided, however, that the lack of reasonable return is proven by the applicant to be substantial as demonstrated by competent financial evidence; (2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) that the requested relief, if granted, will not alter the essential character of the neighborhood; and (4) that the alleged hardship has not been self-created.
- E. The HPC, in the granting of a certificate of economic hardship, shall grant the minimum terms deemed necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- F. Public hearing.
 - (1) The HPC may hold a public hearing on the hardship application at which an opportunity will be provided for the applicant and public to present their views on the hardship application.
 - (2) If no public hearing is held, the HPC must render a decision on the hardship application within 62 days following its receipt of a complete application.
- G. A complete application includes the conclusion of all activities under subsection C initiated to consult with necessary parties to determine whether the property may be preserved or rehabilitated in a manner that alleviates the hardship that would otherwise result while substantially accomplishing the goals of this Article. A complete application also includes receipt by the HPC of all submissions necessary to meet the applicant's burden of proof. Following the submission of a complete application, the HPC may schedule a public hearing within a reasonable time and determine within 62 days following to the close of any public hearing held on the application whether the applicant has met his or her burden of proof.
- H. HPC decision.
 - (1) If the HPC finds that the applicant's burden of proof has not been met, the HPC shall deny the application for a certificate of economic hardship.
 - (2) If the HPC finds that the applicant's burden of proof has been met, the HPC shall issue a preliminary determination of landmarks or economic hardship within 62 days of the close of any public hearing held on the application or within 62 days after the HPC has received a complete application.
 - (3) Within 62 calendar days following the HPC's preliminary determination of economic

hardship the HPC must make a final determination.

- (4) A decision of the HPC on the hardship application shall be in writing and shall state the reasons for granting or denying it. A copy shall be sent to the applicant by certified mail/return receipt and a copy filed with the Village of Monroe Clerk's office.
- (5) No building permit or other land use approvals shall be issued unless the HPC grants the hardship application. If the hardship application is granted, the HPC shall approve only such work as is necessary to alleviate the hardship.

§200-83. Demolition, Removal, or Relocation of Landmark Buildings.

- A. Demolition of an individual landmark or of a structure located in and contributing to the significance of a historic district shall be allowed only in case of economic hardship, unless the building department, upon due deliberation has made an express written finding that the structure presents an imminent threat to the public health, safety and welfare and then only upon further approval of the Village Board.
- B. Any person desiring to demolish a designated historic building shall first file an application for a historic building demolition permit with the building department and an application for such certificate with the HPC. An applicant must submit the following items:
 - (1) Current level of economic return;
 - (2) Amount paid for the property, date of purchase, party from whom purchased, and relationship between the owner of record, the applicant, and person from whom property was purchased;
 - (3) Annual gross and net income from the property for the previous three years; itemized operating and maintenance expenses for the previous three years, and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
 - (4) Remaining balance on the mortgage or other financing secured by the property and annual debt-service, if any, during the prior three years;
 - (5) Real estate taxes for the previous four years and assessed value of the property according to the two most recent assessed valuations;
 - (6) All appraisals obtained within the last two years by the owner or applicant in connection with the purchase, financing, or ownership of the property;
 - (7) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other;
 - (8) Any state or federal income tax returns relating to the property for the last two years;
 - (9) Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents regarding: (a) any real estate broker or firm engaged to sell or lease the property, (b) reasonableness of price or rent sought by the applicant, or (c) any advertisements placed for the sale or rent of the property;
 - (10) Feasibility of alternative uses for the property that could earn a reasonable economic return;

- (11) Report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any buildings on the property and their suitability for rehabilitation;
- (12) Cost estimates for the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the requirements for a certificate of appropriateness;
- (13) Estimated market value of the property: (a) in its current condition; (b) after completion of the proposed alteration or demolition; and (c) after renovation of the existing property for continued use;
- (14) Expert testimony or opinion on the feasibility of rehabilitation or reuse of the existing structure by an architect, developer, real estate consultant, appraiser, and/or other real estate professional experienced in historic properties and rehabilitation;
- (15) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property; and
- (16) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

C. Demolition of any such building may be approved only in connection with approval of a replacement project.

D. The HPC shall hold a public hearing and shall take one of the following actions:

- (1) Approve the demolition permit in conformance with the provisions of this §200-84;
- (2) Approve the demolition hardship permit subject to a waiting period of up to 120 days to consider relocation/documentation;
- (3) Deny the permit.

E. During the continuance period, the HPC may investigate relocation of the building (on site) or modification of the building for future uses in a way which preserves the architectural and historical integrity of the building.

§200-84. Demolition, Removal or Relocation Hardship Criteria.

- A. Certificate of appropriateness for demolition, removal or relocation. An applicant whose certificate of appropriateness for a proposed demolition, removal or relocation of a landmark, resource or property has been denied may apply for relief on the ground of economic hardship. In order to prove the existence of economic hardship sufficient to justify demolition, removal, or relocation, the applicant shall establish that the denial of a certificate of appropriateness will prevent the property owner from earning a reasonable return on investment, regardless of whether that return represents the most profitable return possible.
- B. Certificate of Appropriateness for demolition. The applicant for a certificate of appropriateness for demolition must establish to the HPC's satisfaction, an imminent plan of reuse or

redevelopment of the affected property. The applicant for an income-producing property shall establish that:

- (1) the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and,
 - (2) the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and,
 - (3) efforts to find a purchaser interested in acquiring the property and preserving it have failed.
 - (4) In deciding upon such application for removal, relocation or demolition, the HPC may consider whether the owner has created his own hardship through waste and neglect, thereby permitting the property to fall into a serious state of disrepair.
- C. Before approving the removal, relocation or demolition of an individual landmark or structure within a historic district, the HPC may suspend the application for up to one hundred and eighty (180) days to allow the applicant to consult in good faith with the HPC, local preservation groups, and the public in a diligent effort to seek a less intrusive alternative to demolition.

§200-85. Affirmative Maintenance and Repair Requirement.

A. Ordinary maintenance; repair.

- (1) Nothing in this Article shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a historic landmark or property within a historic district that does not involve a change in design, building materials, color or outward appearance.
 - (2) The HPC may evaluate and decide, without public hearing, whether or not proposed work constitutes ordinary maintenance and repair or requires a certificate of appropriateness.
- B. No owner or person with an interest in real property designated as an individual landmark or included with an historic district shall permit the property to fall into a serious state of disrepair. Maintenance shall be required, consistent with the Property Maintenance Code of New York State Uniform Fire Prevention and Building Code and all other applicable local regulations.
- C. Every owner or person in charge of an improvement on a landmark site or in an historic district shall keep in good repair:
- (1) all of the exterior portions of such improvements; and
 - (2) all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvement to deteriorate, decay or become damaged or otherwise to fall into a serious state of disrepair. Examples of types of prohibited disrepair include, but are not limited to:
 - (a) deteriorated or crumbling exterior plasters, mortar or facades;

- (b) deteriorated or inadequate foundation;
- (c) defective or deteriorated flooring or floor supports or any structural floor members of insufficient size to carry imposed loads with safety;
- (d) deteriorated walls or other vertical structural supports that split, lean, list or buckle due to defective material or deterioration;
- (e) members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration or are of insufficient size to carry imposed loads;
- (f) ineffective or inadequate waterproofing of exterior walls, exterior chimneys, roofs, foundations or floors, including windows or doors, which may cause or tend to cause deterioration, decay or damage;
- (g) defective or insufficient weather protection for roofs, foundation or exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering, which may cause or tend to cause deterioration, decay or damage;
- (h) fireplaces or chimneys which list, bulge or settle due to defective material or deterioration or are of insufficient size or strength to carry imposed loads with safety;
- (i) any fault or defect in the building or structure which renders it not properly watertight or otherwise compromises the life and character of the building or structure.

D. Interiors. Every owner or person in charge of an improvement to an interior landmark shall keep in good repair:

- (1) all portions of such interior landmark and
- (2) all other portions of the improvement which, if not so maintained, may cause or tend to cause the interior landmark contained in such improvement to deteriorate, decay, or become damaged or otherwise to fall into a serious state of disrepair.

E. Every owner or person in charge of a scenic landmark shall keep in good repair all portions thereof.

§200-86. Enforcement and Violations; Penalties.

A. All work performed pursuant to a certificate of appropriateness issued under this Article shall conform to the requirements expressly stated in the certificate or reasonably implied therefrom, including conformance with renderings, materials and material specifications approved by the HPC. It shall be the duty of the Building Inspector to periodically inspect any such work to assure compliance with the certificate and all applicable law. In the event any requirement included in the certificate of appropriateness has not been met, or upon notification of that fact by the HPC, the Building Inspector shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

- B. Any owner or person in charge of a property who demolishes, alters, constructs, or permits a designated property to fall into a serious state of disrepair in violation of this Article in the absence of a certificate of appropriateness, a finding of economic hardship, or other approval by the HPC, may be required by the Village Board to restore the property and its site to its appearance prior to the violation.
- C. If, in the judgment of the HPC, a violation of Article exists that will result in a detrimental effect upon the life and character of a designated historic resource, landmark, property or on the character of a historic district as a whole, the HPC shall notify the Building Inspector. If, upon investigation, the Building Inspector finds non-compliance with the requirements of the Property Maintenance Code of the New York State Fire Prevention and Building Code, or any other applicable law or regulation, the Building Inspector shall order such remedies as are necessary and consistent with this Article and shall provide written notice thereof to the secretary of the HPC.
- D. Penalties. A violation of this Article is deemed an offense punishable by a fine, imprisonment or both, as follows:
- (1) First Offense: A first conviction for violation of this Article may result in a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both;
 - (2) Second Offense: A second conviction for violation of this Article, if the occurrence that leads to conviction began within a period of five years from the date of first conviction, may result in a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both;
 - (3) Third Offense: A conviction for a third or subsequent offense all of which were committed within a period of five years from when the occurrence leading to the first conviction began, shall include a fine of not less than \$700 nor more than \$1000 or imprisonment for a period not to exceed six months, or both.
 - (4) In addition to any penalties imposed under this Article, continuing violations shall be punishable in any other manner provided under other local regulations, and state and federal law.
- E. The HPC shall notify the Village Board of an enforcement matter arising under this Article who shall refer it to the Village Attorney. Action to enforce this Article shall be brought by the Village Attorney or other attorney designated by the Village Board. Civil remedies authorized under Article shall be in addition to and not in lieu of any criminal prosecution and penalty.

§200-87. Appeals.

Any person aggrieved by a decision of the HPC relating to a certificate of economic hardship or a certificate of appropriateness may, within fifteen (15) days of the decision, file a written appeal to

the Village Board for review of the decision. Appellate review shall be based on the same record that was before the HPC and using the same criteria in this Article.

§200-88. Reimbursement of costs and expenses.

- A. The applicant, for review of any application set forth in this Article, shall reimburse the Village for all of the Village's reasonable and necessary architectural, historic and related fees and expenses incurred by the Village in connection with the review of the application. Said fees and expenses are deemed application fees. Reimbursement shall be made in accordance with this chapter. For the purposes of this chapter, the term "application" shall include, but not be limited to: a certificate of appropriateness; a demolition, removal, or relocation of landmark buildings applications; request to review any application under the hardship criteria; appeals; and compliance with the State Environmental Quality Review Act (SEQRA).

§200-89. Definitions.

As used in this Article, the following words and phrases have the following meaning:

Acquisition: The act or process of acquiring fee title or other interest in real property, including acquisition of development rights or remainder interest.

Addition: Any act or process that changes one or more of the exterior architectural features of a building or structure by adding to, joining with or increasing the size or capacity of the building or structure.

Alteration: Any act or process, other than demolition or preventative maintenance, that changes the exterior appearance of significant historical or architectural features, or the historic context of a designated landmark, including, but not limited to, exterior changes, additions, new construction, erection, reconstruction, or removal of the building or structure, or grading.

Appropriate: Especially suitable or compatible.

Architectural Significance: The quality of a building or structure based on its date of erection, style and scarcity of same, quality of design, present condition and appearance or other characteristics that embody the distinctive characteristics of a type, period or method of construction.

Building: Any construction created to shelter any form of human use, such as a house, garage or barn, and which is permanently affixed to the land. Building may also refer to a historically related complex, such as a house and a barn.

Building Official: The person, or his or her designee, authorized to grant permits for construction, alteration, and demolition pursuant to the codes adopted by the Village of Monroe.

Building Inspector: The person, or his or her designee, authorized and certified to enforce the New

York State Fire Prevention and Building Code. The person, or his or her designee, who is also authorized by the Village of Monroe governing board to enforce this Article, except where another official is expressly authorized.

Certificate of Appropriateness: An official form issued by the Village of Monroe HPC stating that the proposed work on an designated historic landmark is compatible with the historic character of the property and thus in accordance with the provisions of this Article and therefore: (1) the proposed work may be completed as specified in the certificate; and (2) the Village of Monroe's departments may issue any permits needed to do the work specified in the certificate.

Certificate of Economic Hardship: An official form issued by the HPC when the denial of a certificate of appropriateness has deprived, or will deprive, the owner of the property of all reasonable use of, or economic return on, the property.

Change: Any alteration, demolition, removal or construction involving any property subject to the provisions of this Article.

Character: Defined by form, proportion, structure, plan, style or material. General character refers to ideas of design and construction such as basic plan or form. Specific character refers to precise ways of combining particular kinds of materials.

Compatible: In harmony with location, context, setting, and historic character.

HPC: The Village of Monroe Historic Preservation Commission established pursuant to this article.

Construction: The act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Demolish: Any act or process that removes or destroys in whole or in part a building, structure, or resource.

Demolition Permit: A permit issued by the building official allowing the applicant to demolish a building or structure, after having received a certificate of demolition approval from the HPC for those properties that are designed landmarks or local historic districts.

Evaluation: The process by which the significance and integrity of a building, structure, object, or site is judged by an individual who meets the professional qualification standards published by the National Park Service at 36 CFR Part 61 as determined by the State Historic Preservation Office, using the designation criteria outlined in this Article.

Exterior Architectural Features: The architectural style, design, general arrangement and components of all of the outer surfaces of any building or structure.

Feature: Elements embodying the historical significance or architectural style, design, general arrangement and components of all of the exterior surfaces of any landmark or historic resource, including, but not limited to, the type of building materials, and type and style of windows, doors, or other elements related to such landmark or historic resource.

Historic Context: A unit created for planning purposes that groups information about historic properties based on a shared theme, specific time period and geographical area.

Historic District - Local: An area designated as a historic district by this Article, and which contains within definable geographic boundaries a significant concentration, linkage or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Historic Fabric: Original or old building materials (masonry, wood, metals, marble) or construction.

Historic Integrity: The retention of sufficient aspects of location, design, setting, workmanship, materials, feeling or association for a property to convey its historic significance.

Historic Landmark: A building, district, site, structure or object significant in American history, architecture, engineering, archeology or culture at the national, State, or local level.

Historic Resource: Any evaluated building, structure, object, or site that potentially meets the designation criteria outlined in this Article.

Historic Preservation HPC: The Historic Preservation HPC appointed by the Village of Monroe Village Board.

Historic Property: A district, site, building, structure, or object significant in American history, architecture, engineering, archeology, or culture at the national, state, or local level.

Historic Resources Survey: a) the process of systematically identifying, researching, photographing, and documenting historic resources within a defined geographic area, and b) the resulting list of evaluated properties that may be consulted for future designation. For the purpose of this Article, all surveys shall be conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Identification and Evaluation, as may be amended.

Historic Significance: The quality of a place, site, building, district or structure based upon its identification with historic persons or events in the Village of Monroe.

Integrity: The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.

Interior Landmark: Interior landmarks are noted for the portions of their interior that are open to

the public.

Inventory: A list of historic properties determined to meet specified criteria of significance.

Landmark: Any building, structure or site that has been designated as a “landmark” by the Village of Monroe Village Board, pursuant to this Article that is worthy of preservation, restoration or rehabilitation because of its historic or architectural significance.

Landmark Alteration Permit: A permit approving an alteration to or demolition of a landmark, or demolition of a historic resource listed in the heritage resource inventory pursuant to the provisions of this Article.

Maintain: to keep in an existing state of preservation or repair.

Minor work: Any change, modification, restoration, rehabilitation, or renovation of the features of an historic resource that does not materially change the historic characteristics of the property.

Move: Any relocation of a building or structure on its site or to another site.

National Register Criteria: The established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

National Register of Historic Places: The official inventory of the nation’s historic properties, districts, sites, districts, structures, objects and landmarks which are significant in American history, architecture, archaeology, and culture, maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966 (16 USC. 470 et seq., 36 CFR Sections 60, 63, as may be amended).

Non-contributing: A feature, addition or building, structure, object or site which does not add to the sense of historical authenticity or evolution of an historic resource or landmark or where the location, design, setting, materials, workmanship, history, and/or association of the feature, addition or building, structure, object or site has been so altered or deteriorated that the overall integrity of that historic resource or landmark has been irretrievably lost.

Object: Constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be moveable by nature or design, an object is associated with a specific setting or environment. Examples include boundary markers, mileposts, fountains, monuments, and sculpture. This term may include landscape features.

Owner: Those individuals, partnerships, corporations, or public agencies holding fee simple title to property, as shown on the property tax records for the Village of Monroe.

Period of Significance: The length of time when a property was associated with important events, activities, or persons, or attained characteristics which qualify it for landmark status. Period of

significance usually begins with a date when significant activities or events began giving the property its historic significance; this is often a date of construction.

Preservation: The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Preventative maintenance: Any work to prevent deterioration or damage to the structural integrity or any exterior feature of a landmark or historic resource that does not involve a change in design, material or exterior appearance. Such work includes, but is not limited to, painting, roof repair, foundation or chimney work, or landscape maintenance.

Rehabilitation: The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features of the property which convey its historical, architectural and cultural values.

Repair: Acts of ordinary maintenance that do not include a change in the design, material, form, or outer appearance of a resource, such as repainting. This includes methods of stabilizing and preventing further decay, and may incorporate replacement- in-kind or refurbishment of materials on a building or structure.

Restoration: The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

Retain: The act of keeping an element, detail or structure and continuing the same level of repair to aid in the preservation of elements, sites, and structures.

Reversible: An addition which is made without damage to the project's original condition.

Scenic Landmark: Scenic landmarks encompass structures that are not buildings, such as bridges, piers, parks, cemeteries, sidewalks, clocks, and trees.

Secretary of the Interior's Standards for the Treatment of Historic Properties: Principles developed by the National Park Service (36 CFR 68.3, as may be amended) to help protect historic properties by promoting consistent preservation practices and providing guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers on how to approach the treatment of historic properties. The Secretary of the Interior Standards for

the Treatment of Historic Properties may also be referred to in this Article as "Secretary of the Interior's Standards."

Significant: Having particularly important associations with the contexts of architecture, history and culture.

Site - Historic: The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing buildings, structures or other objects. Examples of a site are a battlefield, designed landscape, trail, or camp site.

Stabilization: The act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

Structure: Any assemblage of materials forming a construction framed of component structural parts for occupancy or use, including buildings.

Style: A type of architecture distinguished by special characteristics of structure or ornament and often related in time; also a general quality of distinctive character.

Undertaking: Any project or other action involving the expansion, modification, development or disposition of the physical plant or any site or building."

Section 5. Landmark and Historic District Designation.

The Village Board of Trustees hereby adopts the following list of buildings, structures and historic districts as Landmarks and Historic Districts as these buildings, structures and districts have been found to meet the criteria set forth in §200-79 of this local law. The properties set forth below which are hereby deemed to be Landmarks and Historic Districts shall be added to the Zoning Map of the Village of Monroe for informational purposes, and these properties shall be subject to the provisions set forth in this Local Law. The properties are as follows, as shown on the map and list below. The Village of Monroe Historic District which is on the National Register of Historic Places, and the Roscoe Smith House and Property which is eligible for listing on the National Register, are explicitly included.



Name	National Register Status
MF TENEYCK HOUSE (DAVIDSON RESIDENCE) - 127 STAGE RD	Listed
PHINEAS & OSCAR V BROOKS HOUSE (HALL RESIDENCE) - 157 STAGE RD	Listed
52 MAPLE AVE	Listed
403 STAGE RD	Listed
MODERN COMMERCIAL BUILDING - 20 MILL POND PKWY	Listed
MONROE CHEESE COMPANY - 30 MILL POND RD 10950	Listed
Rest Haven - 236 High St 10950	Listed
j. Gregory House - 167 Stage Road 10950	Listed
MC GARRAH/GOFF HOTEL (HULSE RESIDENCE) - 300 STAGE RD	Listed
Julius Smith-Ryder-Webb House - 310 Stage Road 10950	Listed
METHODIST MANSE - 49 MAPLE AVE	Listed
SS LEWIS HOUSE - 42 MAPLE AVE	Listed
DR SOLOMON EZRAY HOUSE (BUSH RESIDENCE) - 154 STAGE RD	Listed
139 STAGE RD	Listed
Residence (1920 - Bungalow) - 207 Oakland Ave	Eligible
ABRAHAM SECOR HOUSE (KOSCA RESIDENCE) - 153 STAGE RD	Listed
SEAMAN TENANT HOUSE (BUSH TENENT HOUSE) - 158 STAGE RD	Listed
JOHN MAPES HOUSE (WHITE RESIDENCE) - 163 STAGE RD	Listed
DAVID SMITH HOUSE (KNIGHT RESIDENCE) - 400 STAGE RD	Listed
20 MAPLE AVE	Listed

32 MAPLE AVE	Listed
METHODIST PARSONAGE - 117 STAGE RD	Listed
CHAPEL OF THE SACRED HEART - 151 STAGE RD	Listed
MONROE THEATER - 34 MILL POND PKWY	Listed
MONROE CEMETERY - NY 17M	Listed
Mill Pond Dam	Listed
MONROE METHODIST CHURCH - 47 MAPLE AVE	Listed
MONROE PRESBYTERIAN CHURCH - 142 STAGE RD	Listed
JUDGE WILLIAM SEAMAN HOUSE (BUSH RESIDENCE) - 160 STAGE RD	Listed
GRIST MILL OPERATOR'S HOUSE (BUSH RESIDENCE) - 315 STAGE RD	Listed
22 MAPLE AVE	Listed
36 MAPLE AVE	Listed
Presbyterian Manse - 131 STAGE RD	Listed
G.T. Smith Farmhouse - 85 Gilbert St	Eligible
SEAMAN CARRIAGE HOUSE (BUSH STORAGE & GARAGE) - 21 MAPLE AVE	Listed
CB KNIGHT HOUSE; OFFICE - 138 STAGE RD	Listed
J GREGORY HARNESS SHOP; HOUSE - 169 STAGE RD	Listed
128 STAGE RD	Listed
132 STAGE RD	Listed
425 STAGE RD	Listed

Section 6. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 10. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State

**VILLAGE OF MONROE
LOCAL LAW 8 of 2023**

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This local law shall be known and may be cited as “Amendment to the Village of Monroe Architectural Review” zoning law.

Section 2. Legislative Purpose.

The Village of Monroe Board of Trustees finds that Section 200-73, titled, “Architectural review,” should be amended to expand the Planning Board’s architectural review authority to special permit approvals in order to conform the section to the Village’s Comprehensive Plan, which seeks to maintain the character of the Village and protect historic structures and buildings from modification inconsistent with the historic nature of the structures and buildings.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Amendments to Chapter 200 of the Village of Monroe Code.

Subsections C(2), “Applicability,” of Section 200-73, “Architectural review,” of Chapter 200, “Zoning,” of the Village of Monroe is hereby amended as follows (additional text is underlined, removed text is ~~struck~~):

- (1) The requirements of this chapter shall apply to any building or structure requiring site plan or special permit approval and/or a building permit application for exterior alterations or additions which change the existing shape or design of a nonresidential building or structure, or any application for a building permit for exterior changes to the shape or design of a building previously approved by the Planning Board; and any buildings, structures and alterations in subdivisions consisting of five lots or more.
- (2) The requirements of this chapter shall not apply to permits issued for the construction of or alteration or addition to a single-family or two-family dwelling, and construction of or alteration to any accessory buildings or structures of a single-family or two-family dwelling, except where the single-family or two-family dwelling is located within the Village of Monroe Historic District or is listed or eligible to be listed on the New York State Register of Historic Places.

- (3) The Planning Board, in reviewing subdivisions, planned unit developments, multiple-family dwellings and site plans, shall require the developer or owner of the project to submit its plans for development of the land, including the type of buildings to be constructed, the location of the buildings on the proposed site, ~~and the type of architectural renderings and samples of the architectural materials to be used on the building or structure, including impervious surface materials.~~ After reviewing the plans of the development and making an on-site inspection, the Planning Board shall submit its recommendations for the development to the developer or owner of the project, which architectural recommendations may be made a condition of the Planning Board's final approval for a given development.

Subsections E, "Approval of plans and specifications required," and F, "Certificate of occupancy," of Section 200-73, "Architectural review," of Chapter 200, "Zoning," of the Village of Monroe is hereby amended as follows (additional text is underlined, removed text is ~~struck~~):

- E. Approval of plans and specifications required. In cases where the Planning Board's review and approval is required hereby, the Planning Board shall append the architectural renderings, materials and material specifications approved and shall require conformance to same as a condition of approval. Any deviation from the approved architectural renderings or materials shall require an amendment to the approval by the Planning Board. The Building Inspector shall not issue a building permit until the Planning Board has approved the plans and specifications for a building or alteration in accordance with this section. The applicant for a building permit shall submit to the Building Inspector such plans, renderings, materials and specifications as he may require for the purposes hereof.
- F. Certificate of occupancy. The Building Inspector shall not issue a certificate of occupancy upon completion of the building or alteration unless he finds that such building or alteration is completed in conformance with the plans, renderings, materials and specifications approved by the Planning Board for which ~~he approved~~ prior to issuing a issued the building permit.

Section 5. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 6. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

**VILLAGE OF MONROE
LOCAL LAW 9 of 2023**

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Amendments to Regulate Illegal Residential Occupancies in the Village of.

Section 2. Legislative Purpose.

Boardinghouses have been and continue to be a prohibited use in the Village of Monroe as per Section 200-13K of the Zoning chapter. Further, two-family and multifamily residential dwellings are permitted only in specified zoning districts as per Chapter 200 of the Village Code. The Board of Trustees of the Village of Monroe ("Village Board") finds that throughout the Village's residential neighborhoods, one-family detached dwellings have been illegally converted into boardinghouses, two- and multifamily dwellings in violation of the zoning law. In addition, multiple accessory apartments, including multiple accessory apartments within one-family detached dwellings that do not comply with the zoning regulations are also being created. Together, all forms of residential occupancies which exceed the number of dwellings permitted in the applicable zoning district are referred to as "illegal residential occupancies." Illegal residential occupancies occur on properties that are mostly owned by absentee landlords and have resulted in overcrowded conditions in buildings without adequate provision of basic sanitation or protection against fires, improper ventilation, inadequate room size, improper maintenance and other basic considerations related to the protection of the health, safety and welfare of Village residents and the continued quiet enjoyment of residential neighborhoods.

These prohibited illegal residential occupancies often do, or are more likely to, fail to comply with the NYS Fire Code and NYS Building Code, creating dangerous conditions. In addition to violating the zoning law, illegal residential occupancies are much more likely to violate other Village regulations including the local Property Maintenance Law (Chapter 155A of the Village of Monroe Code) and the prohibition against excessive noise.

The Village Board has observed obvious evidence of illegal residential occupation including, among other things, a multiplicity of vehicles parking illegally on properties, Village streets and on public sidewalks which cannot withstand the constant wear and tear of vehicle parking, garbage strewn on properties and streets, poor or total absence of basic property maintenance, unkempt lawns, and other impacts that are having a deleterious effect on the health, safety, welfare of adjoining property owners and an overall reduction in property values which negatively impacts the Village's tax ratable base.

This Local Law is intended to support the enforcement of Village laws and regulations to eliminate use of properties as illegal boardinghouses and other illegal residential occupancies and eliminate safety hazards and the blighting effect of these illegal structures on the surrounding neighborhood.

The Village also finds, on the basis of the findings of the Village of Monroe Comprehensive Plan Update, that within its boundaries and within adjoining municipalities there exist a diversity of housing opportunities, including but not limited multifamily dwellings and accessory apartments, all of which are properly regulated, and which provide sufficient, proper and legal housing options for people now living in illegal and unsafe boardinghouses and other illegal residential occupancies.

Section 3. Enabling Authority.

This Local Law is enacted pursuant to the authority of Municipal Home Rule Law § 10 and in accordance with Chapter 235, Article XVII (Amendments) of the Code of the Village of Monroe.

Section 4. Amendments to Chapter 200, Zoning.

- A. Chapter 200, Zoning, Section 200-5, Definitions, is hereby amended to remove the definitions for DWELLING UNIT” and “FAMILY”,
- B. Chapter 200, Zoning, of the Village of Monroe is hereby amended to add the following to Section 200-5, Definitions:

“BOARDINGHOUSE

A dwelling unit used for temporary occupancy purposes by two or more individuals not constituting a family or functional family unit who normally pay based on a share of total expenses of the dwelling unit, or other personal, financial, or other services in exchange for boarding. The term includes the term “rooming house”, “tourist homes”, and “residential hotels” but does not include a motel, hotel, bed-and-breakfast, or group residence as defined by Title 18 and regulated by the New York State Department of Social Services. Single-room occupancies are deemed boardinghouses.”

“DWELLING UNIT

A building or portion thereof containing a cooking area (including all types of cooking appliances), bathroom, dining, sleeping, sanitation, and related facilities necessary and/or incidental to human habitation, designed and intended as a self-contained unit for one functional family unit. All rooms in a unit must have internal structural connections such as internal doorways or internal stairs.”

“FUNCTIONAL FAMILY UNIT (OR “FAMILY”)

A single individual, or a group of two or more persons not necessarily related by blood, marriage, or adoption, living, sleeping, cooking and eating in and otherwise occupying one dwelling unit as a single unit and who function as a family with respect to those characteristics that are consistent with the purposes of zoning and use restrictions in residential neighborhoods. Notwithstanding the provisions

of this definition, a group of unrelated persons shall be considered a functional family unit upon a determination by the Zoning Board of Appeals that the group is the functional equivalent of a family pursuant to the standards enumerated below. This presumption may be rebutted, and the unrelated individuals may be considered the functional equivalent of a family for the purposes of this article by the Zoning Board of Appeals if such group of individuals exhibits characteristics consistent with the purposes of zoning restrictions in residential districts. In determining whether a group of unrelated persons constitutes a family for the purpose of occupying a dwelling unit, as provided herein, the Zoning Board of Appeals shall utilize the standards enumerated herein in making said determination. Before making a determination under this subsection, the Zoning Board of Appeals shall hold a public hearing, after public notice. In determining whether individuals living together are a functional family unit, the following criteria shall be considered:

- A. A functional family unit is distinguished from two or more persons occupying a boardinghouse, rooming house, dormitory, residence hall, fraternity or sorority.
- B. For a group of two or more unrelated persons to operate as a functional family, they must regularly share the common dwelling areas, including dining areas, cooking areas, and social spaces.
- C. For a group of two or more unrelated persons to operate as a functional family, they must do so with a measure of stability characteristic as set forth below.
- D. Such stability is presumed present if at least four of the following conditions are met:
 - (1) The presence of one or two adults residing in the unit with either or both acting as a head of household.
 - (a) In the circumstance that all members of the household are senior citizens, the responsibilities of head of household may be shared.
 - (2) The presence of one or more minor children regularly residing in the household as dependent(s) of one or more adult occupant(s) of the household.
 - (3) Sharing of expenses for food, rent or ownership costs, utilities and other household expenses.
 - (4) Common use or ownership of furniture, appliances and other household furnishings and supplies among the members of the household.
 - (5) Employment of members of the household in the region, or active pursuit of such employment.
 - (6) Utilization of the address of the dwelling by adult members of the functional family for purposes of voter registration, or driver's license, motor vehicle registration, passports, bank accounts, bills, loans, or state or federal income tax filings.
 - (7) A showing that all members of the household have been living together as a single housekeeping unit for a year or more, whether in the current dwelling unit. Proof of sharing

expenses for food, rent or ownership costs, transportation, insurance, utilities, and other household expenses shall be submitted.

(8) Any other factor that, in the judgment of the Zoning Board of Appeals, reasonably demonstrates that the group of persons are occupying the dwelling unit as a single unit in a manner consistent with the purposes of zoning and use restrictions and not simply as unrelated occupants renting or otherwise occupying a dwelling.

E. A group of individuals living in the same dwelling unit shall be presumed not to be a functional family unit, as defined in this section, if such dwelling unit contains no head of household while also including two or more unrelated students, which shall be defined as individuals over the age of 16 years enrolled in a public or private college, university, or other institution of post-secondary education. For the purpose of this presumption, dependent children of any other adult member of the household shall be excluded in calculating the number of college students in the household.

F. Any determination under this subsection shall be limited to the status of a particular group as a family and shall not be interpreted as authorizing any other use, occupancy, or activity. In making any such determination, the Board of Appeals may impose such conditions and safeguards as the Board of Appeals shall deem necessary or advisable in order to maintain the stability and character of the neighborhood and protect the public health, safety and welfare.”

“SINGLE ROOM OCCUPANCY (SRO)

The occupancy by one or two persons of a single room, or of two or more rooms which are joined together, separated from all other rooms within a dwelling, so that the occupant or occupants thereof reside separately and independently of the other occupant or occupants of the same dwelling but may share a bathroom, kitchen or both.”

C. Chapter 200, Zoning, of the Village of Monroe is hereby amended to add the following to Section 200-33, “Supplementary regulations applying to all residential districts,” by adding a new Subsection G, as follows:

“G. Prosecution for illegal residential occupancies and overcrowding in dwellings.

(1) In determining whether civil and/or criminal prosecutions should be brought for the enforcement of these provisions with respect to the illegal use of any building for residential purposes or the illegal residential occupancy of any dwelling by more families than the number of families permitted for such dwelling under this Code, or has been developed with more dwelling units than permitted for the zoning district within which the building is located, or that are not being inhabited by a family as defined herein, the following rebuttable presumptions shall apply:

(a) That any one-family dwelling which maintains any one of the following; more than one mailbox or mail receptacle, or more than one house number, or more than one gas meter, or more than one electric meter, or more than one water meter, or more than one cable/fiber optic/phone connection, or more than one satellite antenna, or any

combination thereof, is being used as the residence of two or more families.

- (b) That any two-family dwelling which maintains any one of the following; more than two mailboxes or mail receptacles, or more than two house numbers, or more than two gas meters, or more than two electric meters, or more than two water meters, or more than two cable/fiber optic/phone connections, or more than two satellite antennae, is being used as the residence of three or more families.
- (c) That any multifamily residential dwelling which maintains any one of the following; more than three mailboxes or mail receptacles, or more than three house numbers, or more than three gas meters, or more than three electric meters, or more than three water meters, or more than three cable/fiber optic/phone connections, or more than three satellite antennae, is being used as the residence of four or more families.
- (d) That any dwelling which exhibits a number of exterior or interior additional entrances thereto, which entrance or entrances have not been set forth on any plans approved by and on file with the Building Department, or that otherwise indicates the dwelling is being used by more families or includes more dwelling units in the dwelling than permitted in the applicable zoning district within which the dwelling is located. This includes multiple exterior or interior doors with locks to create separate dwellings or sleeping areas. Locks includes padlocks, latches, keyed doors, electronic or keyless door entries, and other such similar security methods and devices of separation.
- (e) That any dwelling which has been advertised in any newspapers, magazines, advertising publications or through Internet advertising, as being available for sale or rent for residential purposes, in whole or in part, which advertisement expressly or implicitly provides that such building and the number of dwelling units or rooms for rent therein, exceed the number of dwelling units or number of families permitted to occupy a dwelling in the applicable zoning district within which the dwelling is located.
- (f) That the dwelling exhibits excessive parking of vehicles, including commercial vehicles illegally occupying a property in contravention of the Village Code, multiple parking areas on the lot including within yards not permitted by the zoning chapter, vehicles with multiple registrations of ownership, including vehicles not registered to the address in which the occupant resides, occupying the same lot.
- (g) That the dwelling has multiple trash receptacles beyond that required typically for a legal residential occupancy for the dwelling permitted in the applicable zoning district within which the dwelling is located.
- (h) That the dwelling may contain occupants each with separate and multiple accounts for utilities, telephone, cable, and other media services, and a multiplicity of utility, cable, fiber optic, phone lines, antenna, and similar utility infrastructure entering the building.
- (i) That the dwelling is presumed to serve more families than allowed in the applicable

district where the following is demonstrated:

- [1] Permanent partitions or internal doors which serve to bar access between segregated portions of a dwelling, including but not limited to bedrooms, or the inability of any occupant or person in possession thereof to have unimpeded and/or lawful access to all parts of the dwelling unit; and/or
 - [2] The presence of illegal bedrooms or conversions; and/or
 - [3] Lack of smoke detectors as required by Fire Code; and/or
 - [4] Number or signs displayed on bedroom doors; and/or
 - [5] Three or more kitchens each containing one or more of the following: a range, oven, microwave, or other similar device customarily used for cooking or preparation of foods such as hot plates and other cooking devices; and/or
 - [6] Signs detailing "house" rules on walls or elsewhere.
- (j) That occupants are inhabiting areas of a building not deemed to be habitable by the NYS Building and Fire Codes such as a cellar, attic or similar space not deemed habitable or exceeding the maximum occupancy permitted by the NYS Building and Fire Codes.
- (2) Demand for inspection of premises.
- (a) A person charged with a violation of this subsection 200-33.G as described herein may demand an inspection of the subject dwelling by the Building Department to rebut such presumption. Such demand shall be in writing, addressed to the Village Code Enforcement Officer or Village Building Inspector (the "Building Department Official"). Code enforcement personnel shall prepare a report of the findings of the inspection, together with photographs, if appropriate.
 - (b) Where a violation for illegal residential occupancy is issued to the property owner by the Village Building Department Official, said Village official may request consent to inspect the inside of the dwelling unit to determine whether the presumption of illegal occupation is correct or rebutted. Where such access is denied, the Village Attorney or Village Prosecutor shall, upon due notice to the owner, apply to the Village of Monroe Justice Court to obtain an administrative search warrant presenting such documented evidence as necessary to support the issuance of a warrant.
- (3) Penalties for offenses.
- (a) Civil penalty. Notwithstanding any provision of this Code inconsistent herewith, for each code violation involving an illegal residential occupancy or an over-occupancy of a dwelling or dwelling unit, the owner and any person who is in charge of the subject building, dwelling, or dwelling unit at the time of the violation shall be liable to a fine of not less than \$1,000 nor more than \$3,500 for the first violation; for a second and any subsequent violation, the fine shall be not less than \$5,000 nor more than \$7,500.
 - (b) Criminal penalty. Any person who shall violate any of the provisions of this chapter, in addition to the civil penalties contained herein, shall, upon conviction, be guilty of a

misdemeanor subject to a fine not exceeding \$1,000 and up to 15 days in prison.

(c) Each day that a violation continues to exist shall constitute a separate and distinct violation for the purpose of civil and criminal penalties.

- (4) Legal accessory apartment. Nothing herein is intended to classify an accessory apartment as an illegal residential occupancy where the accessory complies with all regulations set forth in Section 200-49 of this zoning chapter and any conditions of a special use permit approved by the Planning Board in accordance with Section 200-49. Any accessory apartment which has not received a special use permit shall be deemed an illegal residential occupancy.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State

VILLAGE OF MONROE
LOCAL LAW 10 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Village of Monroe Parking of Commercial and Oversized Vehicles and Equipment Local Law of 2023.

Section 2. Legislative Purpose.

The Village of Monroe Comprehensive Plan of 2023 recommended requiring standard protections for any non-residential uses located within a residential district. One particular trend noted by the Village Board and the public during preparation of the Comprehensive Plan was the increased use of homes in residential zoning districts for the storage of commercial and oversized vehicles used by residents in the conduct of their business or professions. In the most egregious observed instances, multiple commercial vehicles were located on a single-family detached residential lot to the extent that the storage of commercial vehicles results in impacts equivalent to a commercial use within districts exclusively zoned for residential purposes. Commercial and oversized vehicles are often significantly louder than customary vehicles accessory to dwellings, increase the amount of impervious surface area dedicated to parking or otherwise vehicles are parked on unstabilized lawn areas, are situated on smaller village residential lots where they are not screened from adjoining uses, and where the commercial signage on vehicles clutters and detracts from the residential character of the neighborhood. Commercial vehicles are parked in a manner where they are required to back out on village roads, and the lack of adequate sight distance can result in endangerment to pedestrians, pets, and vehicles. The storage of commercial vehicles erodes the residential character of the neighborhood and may result in endangerment of the public health and safety.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Changes to §200-44(E) (Parking and Loading; General Provisions; Commercial Vehicles) of the Zoning Local Law.

§200-44A (Parking and Loading; General Provisions; Eligible Areas), which currently reads as follows:

- A. Eligible areas. Areas which may be computed as open or enclosed off-street parking spaces include any private garage, carport or other area available for parking, other than a street or a front yard. The restriction on parking within the front yard applies to residential zoning districts only. Notwithstanding, a driveway within a required front yard for a single- or two-family residence may count as one parking space.*

Is hereby deleted and replaced by the following Section A:

A. *Eligible areas. Areas which may be computed as open or enclosed off-street parking spaces include any private garage, carport or other area available for parking, other than a street. A residential driveway in a front yard shall count for no more than one off-street parking space for a driveway with a width of at least ten feet but less than 18 feet, while driveways with a width greater than 18 feet may count as two parking spaces.*

§200-44E (Parking and Loading; General Provisions; Commercial Vehicles), which currently reads as follows:

E. *Commercial vehicles. Not more than one commercial vehicle in excess of 8,500 pounds gross vehicle weight (GVW) may be parked within a private garage or driveway in any residential district. Under no circumstances shall required or extra parking facilities accessory to residential structures be used for the storage of commercial vehicles or for the parking of automobiles belonging to the employees, owners, tenants or customers of nearby businesses or manufacturing establishments, whether for profit or not. Under no circumstances shall taxis, cars for hire, livery, limousines or the like, be parked or stored overnight at any location in any district other than at an approved taxi business pursuant to § 200-51.2.*

Is hereby deleted and replaced by the following Section E::

E. *Commercial and oversized vehicles and equipment/landscaping and construction equipment.*

(1) *For purposes of this section, vehicles and equipment regulated herein are any self-propelled or towed motor vehicles used on roads to transport passengers and property including any of the following:*

- (a) *Commercial vehicles as defined in Section 43-5A, Definition of commercial motor vehicles, set forth in Chapter 43, Vehicles and Traffic;*
- (b) *Any vehicle which shall require commercial registration by the NYS Department of Motor Vehicles.*
- (c) *Vehicles exceeding 20 feet in length, except for recreational vehicles as regulated by §200-44F.*
- (d) *Trailers and similar carriers towed by vehicles and used for commercial purposes.*
- (e) *Vehicles designed or used to transport more than 10 passengers including the driver, with or without compensation.*
- (f) *Any vehicle or trailer which is used in transporting material found by the U.S. Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed under 49 CFR, subtitle B, chapter I, subchapter C.*
- (g) *Any vehicle for which a Commercial Driver License (CDL) is required by the NYS Department of Motor Vehicles, including but not limited to buses, tractor trailers, dump trucks, and stretch limos.*

(2) *The following commercial and oversized vehicles and equipment/landscaping and construction equipment as defined by §200-44E(1) shall not be parked or stored on any lot in the SR-20, SR-10, UR-W or UR-M zoning districts where they exceed the thresholds listed below:*

- (a) *Any vehicle exceeding 10,000 pounds gross vehicle weight (GVW).*
- (b) *Any vehicle exceeding 20 feet in length.*
- (c) *Any trailer used for commercial purposes.*

(d) Construction or landscaping equipment or other heavy equipment not authorized for travel over public roads and with a weight exceeding 600 pounds, except for construction equipment actively involved in ongoing construction for which a valid building permit has been issued by the Village of Monroe.

(3) No more than one commercial and oversized vehicles and equipment/landscaping and construction equipment as defined by §200-44E(1), may be parked or stored on any lot in the SR-20, SR-10, UR-W or UR-M zoning district, provided it does not exceed the thresholds listed in subsection §200-44E(2). Examples of vehicles that may meet this requirement and for which one is allowed per lot include a work van, a taxi, a car for hire, a non-stretch limousine, or a vehicle used as a ride share business.

(4) This restriction shall not apply to delivery vehicles engaged in otherwise lawful deliveries to the residential lot, nor shall it apply to vehicles involved with duly permitted construction occurring on the residential lot.

§200-44M (Parking and Loading; General Provisions; Parking in a Required Front Yard), is hereby added as follows:

M. Only a single driveway area 20 feet wide may be used for parking within a required front yard on any residential lot.

Section 5. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 6. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
LOCAL LAW 11 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Village of Monroe Building Height and FAR Clarification Local Law of 2023.

Section 2. Legislative Purpose.

The Village finds that the height definition and requirements contain adequate flexibility to accommodate both flat and sloping sites and reflect the existing built environment. However, the unintended application of the existing definition, where changes to the natural grade surrounding existing homes can be used to circumvent maximum building height regulations, has resulted in the construction of out of character dwellings, including three-story buildings with habitable basements or attics where such homes are not consistent with the building height and massing predominantly found in existing residential neighborhoods. Dwellings have been constructed that also circumvent and exceed the intended maximum floor areas established by the Floor Area Ratio limits set forth in the Village Zoning Local Law. . Exceedances of the Floor Area Ratio limitations, without seeking proper relief through the Zoning Board of Appeals, has resulted in grading activities that are also out of character with existing residential building patterns. The Village therefore also seeks to prohibit excessive site grading where this activity results in the construction of dwellings that are taller or larger than would normally be permitted in the applicable residential zoning district. Lastly, this local law aligns many of the definitions with the definitions set forth in the New York State Building Code. This local law implements the recommendations of the Village's Comprehensive Plan of 2023.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Amending Zoning Local Law to Require Site Plan Review where Significant Site Grading is Proposed.

§200-68 Building Permits, paragraph D (Earthwork or earthmoving activities), which currently reads as follows:

D. Earthwork or earthmoving activities. When application is made for a building permit to allow earthwork or earthmoving activities, such as excavation, clearing, stripping, filling, grading or removal, in preparation for any use of the land different than its current use and the Building Inspector determines that the forgoing activities will result in significant impact on surrounding lots or change to the existing lot(s), including increased drainage runoff, soil erosion and grade change in excess of 10% overall, the Building Inspector shall, at his discretion:

- (1) Deny approval for the same;*
- (2) Condition approval on prescribed drainage, runoff and erosion control measures; or*

(3) Refer the application to the Planning Board for site plan review and approval in accordance with Article XV of this chapter.

Is hereby deleted and replaced with the following:

D. Earthwork or earthmoving activities. When application is made for any building permit that involves earthwork or earthmoving activities, such as excavation, clearing, stripping, filling, grading or removal such that one or more of the following thresholds are met, site plan review and approval shall be required in accordance with Article XV of this zoning chapter before any building permit is issued:

- (1) A change in proposed grade that involves the use of any tracked construction equipment or equipment in excess of 1,000 pounds.*
- (2) A change in the finished grade by more than three vertical feet at any single point on the lot.*
- (3) A change in the average finished grade by more than one vertical foot of any horizontal area exceeding 100 square feet.*
- (4) A change in the average finished grade adjoining the foundation of a principal structure by more than one vertical foot.*
- (5) A change in the grade plane as defined in § 200-5 of a principal building or use by more than one vertical foot.*

Section 5. Changes to §200-5 (Definitions) of the Zoning Local Law.

The definition of “Basement” contained in §200-5 of the Zoning Local Law, which currently reads as follows:

BASEMENT

That space of a building that is 50% or greater below grade, and which floor-to-ceiling height can be no greater than 10 feet. Only one basement shall be allowed per building. Basements located in commercial buildings shall be restricted to storage, mechanical or incidental use only; no public access shall be permitted.

Is hereby deleted and replaced with the following:

BASEMENT

That portion of a building included between the surface of any floor and the surface of the floor next above, where the following thresholds are not exceeded:

- 1. The distance between the finished floor and the finished floor above is no more than 12 feet.*
- 2. The midpoint between the finished floor and the surface of the finished floor next above is less than one foot above the grade plane, and less than one foot above the average pre-construction grade adjoining the building.*
- 3. The finished surface of the floor next above is no more than six feet above grade plane, nor more than six feet above the average pre-construction grade adjoining the building.*
- 4. The finished surface of the floor next above is no more than 12 feet above the finished grade at any point nor more than 12 feet above the pre-construction grade adjoining the building at any point.*
- 5. The floor next above is not a basement floor (only one basement shall be allowed per building.)*

A new definition of “Grade Plane” is added to §200-5 of the Zoning Local Law at the appropriate point of alphabetical order:

GRADE PLANE

A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the average of the lowest points within the area between the building and the lot line.

The definition of “Floor Area Ratio” contained in §200-5 of the Zoning Local Law, which currently reads as follows:

FLOOR AREA RATIO (FAR)

The gross floor area of a dwelling to be regulated herein, divided by the gross lot area. For purposes of this bulk requirement, "gross floor area" shall be the sum of the gross horizontal areas of the stories of a dwelling unit, including livable floor area within any attic and enclosed porches, whether finished or unfinished, measured to the exterior of the outside faces or walls of a building, except that accessory detached garages and accessory detached storage buildings shall be excluded.

Is hereby deleted and replaced with the following:

FLOOR AREA RATIO (FAR)

The gross floor area of a dwelling to be regulated herein, divided by the gross lot area. For purposes of this bulk requirement, “gross floor area” shall be the sum of the gross horizontal areas of the stories of a dwelling unit measured to the exterior of the outside faces or walls of buildings, including any livable floor area within any attic, basement or enclosed porches. Accessory detached garages of less than 480 square feet and other accessory detached buildings of less than 144 square feet shall not be included.

The definition of “Height” and the illustrations that accompany the definition contained in §200-5 of the Zoning Local Law, which currently reads as follows:

HEIGHT, BUILDING

The vertical distance measured from the average elevation of the finished or proposed finished grade on the perimeter of the foundation to the highest point of the structure, but not including chimneys, spires, towers, tanks and similar projections. (See illustration hereinafter).

Are hereby deleted and replaced with the following:

HEIGHT, BUILDING

The vertical distance measured from the grade plane to the highest point of the structure, but not including chimneys, spires, towers, tanks and similar projections.

The definition of “Livable floor area” contained in §200-5 of the Zoning Local Law, which currently reads as follows:

LIVABLE FLOOR AREA

All spaces within the exterior walls of a dwelling unit exclusive of garages, breezeways, unenclosed porches, heating and mechanical equipment rooms and basements, as defined herein. Livable floor area shall include all spaces not otherwise excluded above, such as: principal rooms; utility rooms; bathrooms; all closets and hallways opening directly into any room within the dwelling unit; stairways; and all attic area having a clear height of 7 1/2 feet or more from finished floor level to roof rafter. For the purpose of this chapter, "livable floor area" shall also mean "habitable floor area."

Is hereby deleted and replaced with the following:

LIVABLE FLOOR AREA

All spaces within the exterior walls of a dwelling unit exclusive of unheated garages, unenclosed breezeways, unenclosed porches, and non-habitable space (as defined by the NYS Building Code) contained within basements as defined herein. Livable floor area shall include all spaces not otherwise excluded above, such as: principal rooms; utility rooms; bathrooms; all closets and hallways opening directly into any room within the dwelling unit; stairways; and all attic area having a clear height of 7 1/2 feet or more from finished floor level to roof rafter. For the purpose of this chapter, "livable floor area" shall also mean "habitable floor area."

The definition of "Story" contained in §200-5 of the Zoning Local Law, which currently reads as follows:

STORY

That portion of a building included between the surface of any floor and the surface of the floor next above. A basement 51% or more above grade shall be considered a story. Any attic space that can be potentially converted to livable floor area shall be deemed a story.

Is hereby deleted and replaced with the following:

STORY

That portion of a building included between the surface of any floor and the surface of the floor next above. A story is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. A basement as defined herein shall not be considered a story. Any attic space that can be potentially converted to habitable space as defined by the building code shall be deemed a story.

Section 6. Addition to §200-13 (Prohibited Uses)

The following is hereby added to §200-13 (Prohibited Uses) as paragraph “R,” redesignating the current paragraph “R,” to paragraph “S.”

- R. No basements located in a commercial building shall be use for any use other than storage, mechanical or incidental use and no public access shall be permitted.*

Section 7. Changes to §200-22 (Supplementary Regulations Applicable to Building Height) of the Zoning Local Law.

§ 200-22 (Supplementary Regulations Applicable to Building Height) of the Zoning Local Law, which currently reads:

The height limitations of this chapter shall not apply to:

- A. Roof projections, including bell towers, spires, belfries or steeples; flagpoles; radio or television towers; chimneys or smokestacks; radio or television aerials; skylights; water towers; elevator penthouses; cooling towers; solar energy collection equipment, reflectors or tanks; rooftop bulkheads, fire towers, hose towers, cooling towers or air-conditioning or heating equipment, provided that such features shall not occupy, in the aggregate, more than 10% of the total roof area to which they are a part, and provided that the same do not exceed the building height limitations by more than 15 feet and are set back from the edge of the roof at least one foot for each one foot by which such features exceed the maximum height otherwise specified for the district in which they are located. All mechanical equipment located on the tops of buildings shall be visually screened, subject to Planning Board approval.*
- B. Wall extensions. Parapet walls or cornices which do not exceed the maximum height requirement for the district in which they are located by more than four feet.*
- C. Solar energy systems. Solar energy systems, provided that such systems shall be erected only to the height necessary to accomplish the purposes they are intended to serve.*

Is hereby deleted and replaced with the following:

- A. The height limitations of this chapter shall not apply to:*
 - (1) Roof projections, including bell towers, spires, belfries or steeples; flagpoles; radio or television towers; chimneys or smokestacks; radio or television aerials; skylights; water towers; elevator penthouses; cooling towers; solar energy collection equipment, reflectors or tanks; rooftop bulkheads, fire towers, hose towers, cooling towers or air-conditioning or heating equipment, provided that such features shall not occupy, in the aggregate, more than 10% of the total roof area to which they are a part, and provided that the same do not exceed the building height limitations by more than 15 feet and are set back from the edge of the roof at least one foot for each one foot by which such features exceed the maximum height otherwise specified for the district in which they are located. All mechanical equipment located on the tops of buildings shall be visually screened, subject to Planning Board approval.*
 - (2) Wall extensions. Parapet walls or cornices which do not exceed the maximum height requirement for the district in which they are located by more than four feet.*

- (3) *Solar energy systems. Solar energy systems, provided that such systems shall be erected only to the height necessary to accomplish the purposes they are intended to serve.*

B. No residential structure or addition to a residential structure shall be approved where the proposed grade plane is more than three feet above the existing pre-construction grade plane.

Section 8. Changes to §200-72C (Site plan and special permit review and approval; regulations; applicability) of the Zoning Local Law.

§200-72(C)(1) (Site plan and special permit review and approval; regulations; applicability), which currently reads as follows:

C. Applicability.

(1) In all districts, site plan approval by the Planning Board shall be required for:

- (a) The erection or enlargement of all buildings in all districts other than single-family residences in SR-10 and SR-20 Districts, except that single-family residences shall be subject to site plan approval in flood hazard areas as defined on the Flood Insurance Rate Map.*
- (b) All uses of vacant land.*
- (c) Any change in use from one principal permitted or accessory use to another principal permitted or accessory use, including changes in use within a permitted multiple use, e.g., a shopping center. Where no exterior alterations or additions are proposed, the Code Enforcement Officer shall determine if a formal application to the Planning Board is required based on a completed Land Use Determination Form, as well as any significant impact the change in use will have on the site including, but not limited to, traffic volume, access, parking, circulation, noise, the need for landscaping or screening, environmental uses, loading, access, drainage, utilities or other municipal services or character of the neighborhood.*
- (d) Any application for a special use permit.*

Is hereby amended to add the following:

- (e) Earthwork or earthmoving activities, such as excavation, clearing, stripping, filling, grading or removal such that any of the following thresholds are met whether or not such activities are proposed individually or as part of an application involving building construction. Where building construction is involved, site plan approval will be required for the entire proposed construction and shall not be limited to the earthwork activities.*
 - (1) A change in proposed grade that involves the use of any tracked construction equipment or equipment in excess of 1,000 pounds.*
 - (2) A change in the finished grade by more than three vertical feet at any single point on the lot.*
 - (3) A change in the average finished grade by more than one vertical foot of any horizontal area exceeding 100 square feet.*
 - (4) A change in the average finished grade adjoining the foundation of a principal building or use by more than one vertical foot.*
 - (5) A change in the grade plane as defined by the building code of a principal structure by more than one vertical foot.*

Section 9. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 10. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 11. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
LOCAL LAW 12 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Village of Monroe Light Industry District Local Law of 2023.

Section 2. Legislative Purpose.

This Local Law is intended to implement the recommendations of the 2023 Village of Monroe Comprehensive Plan, which recommends:

The commercial area branching off of NYS Route 17M and along NYS Route 208 at the north end of the Village is zoned General Business but is not well suited for frequent consumer vehicle access. The two gas stations in this vicinity are a source of traffic congestion given the complex traffic alignment in the area. The Village should promote more limited uses in this area, favoring heavy commercial, light industry, warehousing, and office uses instead.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Adding a new district entitled “Light Industry District” to §200-6 (List of Districts) in the Zoning Local Law.

A new row reading as follows shall be added to the §200-6 List of Districts of the Zoning Local Law:

<i>LI</i>	<i>Light Industry District</i>
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Section 5. Changes to Village Zoning Map.

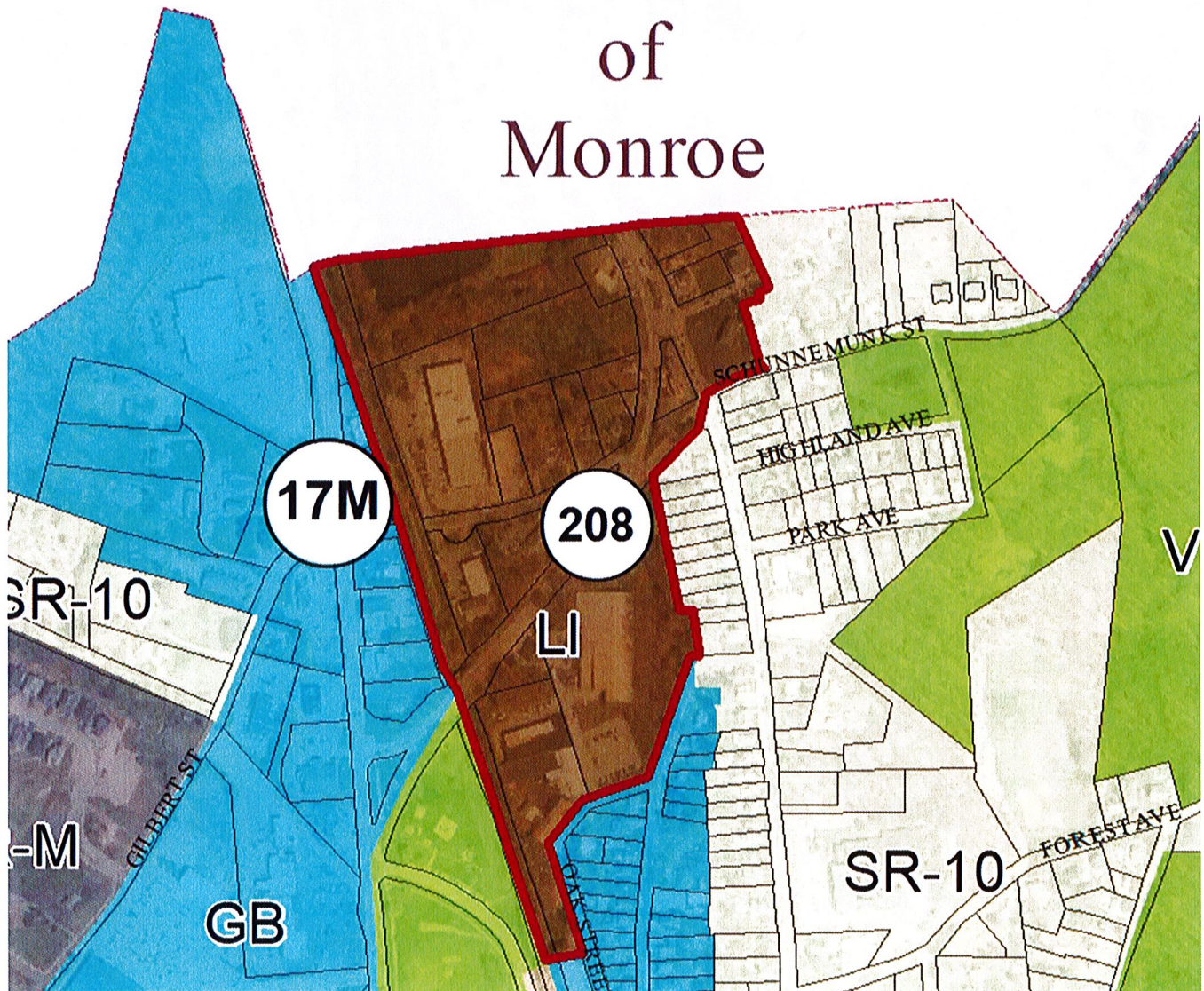
The Village Zoning Map is hereby amended to redesignate all lots currently zoned General Business (GB) and having frontage on New York State Route 208 or Gilbert Street Extension east of the Orange County Heritage Trail to a new District entitled “Light Industry (LI).” The area of the new LI district is shown in brown and highlighted in red below.

The following lots as designated on the Town of Monroe Tax Map are hereby rezoned to LI.

- 201-3-1.11
- 201-3-1.12
- 201-3-2
- 201-3-3
- 201-3-4
- 201-3-5
- 201-3-6
- 201-3-7
- 201-3-8
- 201-3-9
- 201-3-11.1

- 201-3-11.2
- 201-4-1
- 202-1-1
- 202-1-2
- 202-1-3
- 202-1-4
- 202-1-5
- 203-3-3.1
- 203-3-3.21
- 203-3-3.22

Town of Monroe



Section 6. Adding a new Attachment 10 (Table of District Uses and Bulk Regulations, LI District) to the Zoning Local Law.

Section 200-12.A, The Table of Uses by District Bulk Requirements, is amended to add the following attachment entitled "Table of District Uses and Bulk Regulations, LI District" as follows:

<i>LI District</i>			<i>Minimum</i>						<i>Maximum</i>	
<i>Use</i>	<i>Type</i>	<i>Use-Specific Regulations</i>	<i>Lot Area (square feet)</i>	<i>Lot Width (feet)</i>	<i>Front Setback (feet)</i>	<i>Rear Setback (feet)</i>	<i>One Side Setback (feet)</i>	<i>Total Side Setbacks (feet)</i>	<i>Lot Coverage</i>	<i>Building Height¹ Feet/Stories</i>
Ambulance	Permitted		20,000	100	60	40	50	80	25%	35/2
Existing residential (single- and two-family)	Permitted		10,000	100	30	35	15	30	25%	35/2
Fire protection services	Permitted		20,000	50	60	40	50	80	25%	35/2
Funeral and interment services	Permitted		20,000	50	60	40	50	80	25%	35/2
Garden center	Special permit	§200-48	40,000	100	40	20	20	40	50%	35/2
Hotel/Motel	Special permit	§200-54	20,000	50	60	40	50	80	25%	35/2
Kennel	Permitted		20,000	50	60	40	50	80	25%	35/2
Light industry	Special permit	§200-48	40,000	100	40	20	20	40	50%	35/2
Existing motor vehicle fuel-dispensing station	Special permit	§200-51	40,000	150	50	25	25	50	25%	35/2
Motor vehicle repair and paint shop (excluding quick automobile service facility)	Special permit	§200-51	40,000	150	50	25	25	50	25%	35/2
Motor vehicle sales	Special permit	§200-51	40,000	150	50	25	25	50	25%	35/2
Postal service	Permitted		20,000	50	60	40	50	80	25%	35/2
Professional office (excludes medical/dental and business)	Permitted		20,000	50	60	40	50	80	25%	35/2
Public parking lot/structure	Special permit	§200-48	20,000	50	60	40	50	80	25%	35
Public utility structure or ROW	Special permit	§200-48	No minimums specified						No maximum specified	
Recreational facility, indoor with a floor area per establishment of no less than 1,000 SF	Special permit	§ 200-57	20,000	100	40	20	20	40	60%	35/2

<i>LI District</i>			<i>Minimum</i>						<i>Maximum</i>	
<i>Use</i>	<i>Type</i>	<i>Use-Specific Regulations</i>	<i>Lot Area (square feet)</i>	<i>Lot Width (feet)</i>	<i>Front Setback (feet)</i>	<i>Rear Setback (feet)</i>	<i>One Side Setback (feet)</i>	<i>Total Side Setbacks (feet)</i>	<i>Lot Coverage</i>	<i>Building Height¹ Feet/Stories</i>
<i>Recreational facility, outdoor</i>	<i>Special permit</i>	<i>§ 200-57</i>	<i>20,000</i>	<i>100</i>	<i>40</i>	<i>20</i>	<i>20</i>	<i>40</i>	<i>50%</i>	<i>35/2</i>
<i>Research facility</i>	<i>Special permit</i>	<i>§200-48</i>	<i>10,000</i>	<i>100</i>	<i>30</i>	<i>35</i>	<i>15</i>	<i>30</i>	<i>25%</i>	<i>35/2</i>
<i>Sale and storage of lumber and building materials</i>	<i>Special permit</i>	<i>§200-48</i>	<i>40,000</i>	<i>100</i>	<i>40</i>	<i>20</i>	<i>20</i>	<i>40</i>	<i>50%</i>	<i>35/2</i>
<i>Self-storage</i>	<i>Special permit</i>	<i>§ 200-56</i>	<i>40,000</i>	<i>100</i>	<i>40</i>	<i>20</i>	<i>20</i>	<i>40</i>	<i>50%</i>	<i>35/2</i>
<i>Veterinary service/animal hospital</i>	<i>Permitted</i>		<i>20,000</i>	<i>50</i>	<i>60</i>	<i>40</i>	<i>50</i>	<i>80</i>	<i>25%</i>	<i>35/2</i>
<i>Warehouse</i>	<i>Special permit</i>	<i>§200-48</i>	<i>40,000</i>	<i>1000</i>	<i>40</i>	<i>20</i>	<i>20</i>	<i>40</i>	<i>50%</i>	<i>35/2</i>
<i>Repair service, non- motor vehicle</i>	<i>Permitted</i>		<i>20,000</i>	<i>50</i>	<i>60</i>	<i>40</i>	<i>50</i>	<i>80</i>	<i>25%</i>	<i>35/2</i>

Section 7. Grandfathering provisions.

Any applicant with a proposed site plan that has within the last 24 months from the effective date of this law received a special use permit approval or preliminary site plan approval and which has not yet been issued a certificate of use or certificate of occupancy for a principal building or use, may elect not to be subject to this Local Law and shall be subject to the use and bulk regulations applicable to the GB District as existed on August 1, 2023, for a period of 36 months from the effective date of this law, unless this provision is further extended by the Village Board.

The application of “208 Business Center,” which has been the subject of a Positive Declaration of Environmental Significance by the Planning Board, and which has entered into significant discussions with the Village Board and Planning Board regarding contributing to significant improvements to the intersection of Route 208, Schunnemunk Street and North Main Street as a condition of approval, may elect not to be subject to this Local Law, instead continuing to be subject to the regulations applicable to the use and bulk regulations applicable to the GB District as existed on August 1, 2023, for a period of 36 months from the effective date of this law, unless this provision is further extended by the Village Board.

Section 8. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 9. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

Section 10. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
INTRODUCTORY LOCAL LAW 13 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Village of Monroe Revisions to the General Business (GB) Zoning District Bulk Regulations Local Law of 2023.

Section 2. Legislative Purpose.

The Village of Monroe Comprehensive Plan of 2023 recommended that within the GB zoning district, that a minimum floor area per tenant space be established for any new commercial buildings constructed within the Village but outside of the downtown (CB District). The Village should limit new small-lot and small tenant spaces along the NYS Route 17M corridor. As per the Comprehensive Plan, there is already an oversupply of small retail and commercial spaces within the Village, and small spaces remain vacant throughout the Village's downtown and strip commercial centers. The Village desires to attract businesses over 2,000 square feet in floor area for any new spaces. To that end, the minimum lot area is being adjusted so that the minimum lot area is at least 20,000 square feet throughout the zoning district, to limit future subdivision of land into smaller lots which may thwart the intent of attracting larger commercial uses.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Changes to §200-12A (Bulk and Use Requirements; Table of Uses by District and Bulk Requirements; Table of Uses and Bulk Regulations, GB District) of the Zoning Local Law.

§200-12A (Bulk and Use Requirements; Table of Uses by District and Bulk Requirements; Table of Uses and Bulk Regulations, GB District), is hereby amended to delete the bulk regulations for the following uses: existing residential (single- and two-family); research facility; and, residential to commercial conversion, and to replace the bulk regulations for these uses as follows:

GB District	Type	Use Specific Regulations	Minimum						Maximum	
Use			Lot Area (square feet)	Lot Width (feet)	Front Setback (feet)	Rear Setback (feet)	One Side Setback (feet)	Total Side Setbacks (feet)	Lot Coverage	Building Height ¹ Feet/Stories
Existing residential (single- and two-family)	Permitted		20,000	50	60	40	50	80	25%	35/2
Research facility	Special permit	§ 200-48	20,000	50	60	40	50	80	25%	35/2
Residential to commercial conversion	Special permit	§ 200-48	20,000	50	60	40	50	80	25%	35/2

Section 5. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 6. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
INTRODUCTORY LOCAL LAW 14 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title

This Local Law shall be known and may be cited as the Village of Monroe General Zoning Map Changes Local Law of 2023.

Section 2. Legislative Purpose

This Local Law is intended to implement Goal H2 of the 2023 Village of Monroe Comprehensive Plan, *"SAFEGUARD MONROE'S EXISTING STABLE RESIDENTIAL NEIGHBORHOODS, AND IMPROVE AND ENHANCE MARGINAL AREAS, ESPECIALLY AREAS OF INVESTMENT CONVERSIONS."*

The Village of Monroe Board of Trustees finds that several solidly residential neighborhoods exist within the Village that are zoned for purposes other than consistent with their residential character and use. This includes residential neighborhoods predominantly along the periphery of the Central Business District. Such zoning, contrary to the predominantly single-family detached character of these areas, may serve as a disincentive to maintaining the quality of the dwellings in these neighborhoods, and encourage alternative uses inconsistent with this residential character. The intent of this Local Law is to rezone these areas to reflect the current residential use of these neighborhoods.

With regard to the General Business District on Spring Street, it is noted that the lots in this area, despite having been zoned for GB for some time, remain 66% single-family with only two commercial uses. One lot adjacent to the CB district at the west end of this GB District is used as a pet services facility – a use which would be allowed in the neighboring CB district. On the east end of this district is a long-established auto-repair business. While the Village Board believes that this established business should be allowed to continue, subject to the conditions of an existing non-conforming use, it finds that this location is not conducive to operation of an auto repair business. The area is the site of frequent disorderly parking of vehicles in the required front yard which is not permitted, encroaching onto neighboring residential lots, within the shoulder of the public right-of-way, and at times in the travel way of the right-of-way. Additionally, the lot is kept in a condition of general disrepair and is a blighting influence on adjacent residential dwellings in the neighborhood.

With regard to the SR-20 District along Prospect Street, this was an area that has been determined to be developed at SR-10 density, with lots ranging from 10,000 square feet to 15,000 square feet and only a few homes meeting the 20,000 square feet lot area requirement of the SR-20. In acknowledgment of this, the homes along Prospect Street and the area immediately to the west are proposed to be rezoned to SR-10 to eliminate excessive non-compliance.

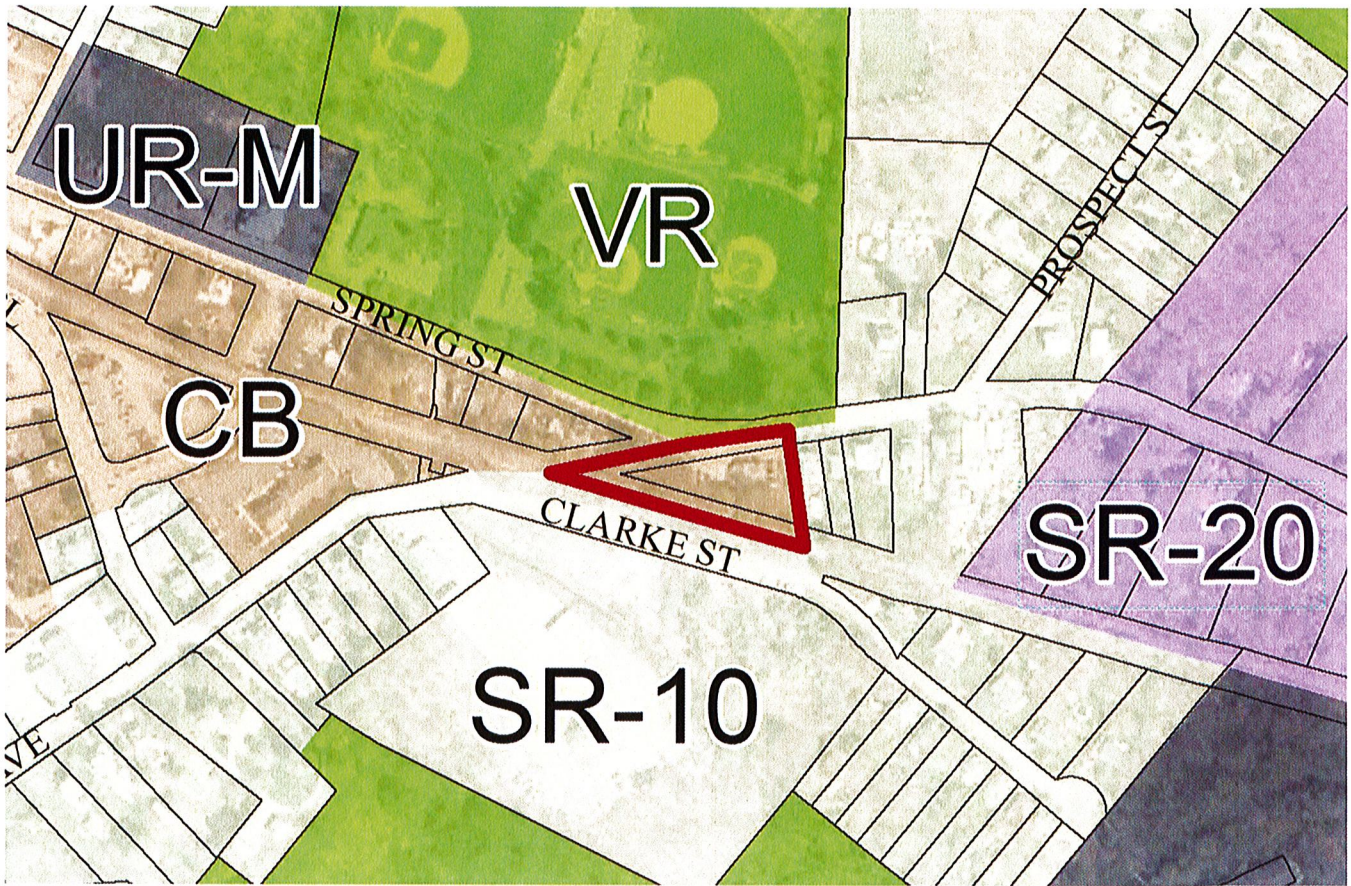
Lastly, a single parcel annexed from the unincorporated Town of Monroe does not have a designated zoning district shown on the Village Zoning Map. This lot is dedicated parkland, was intended to expand the adjacent Smith Clove Park, and therefore meets the objectives and intent of the VR zone.

Section 3. Enabling Authority

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Amending the Zoning Map to rezone one lot located in the GB District into the adjacent CB District.

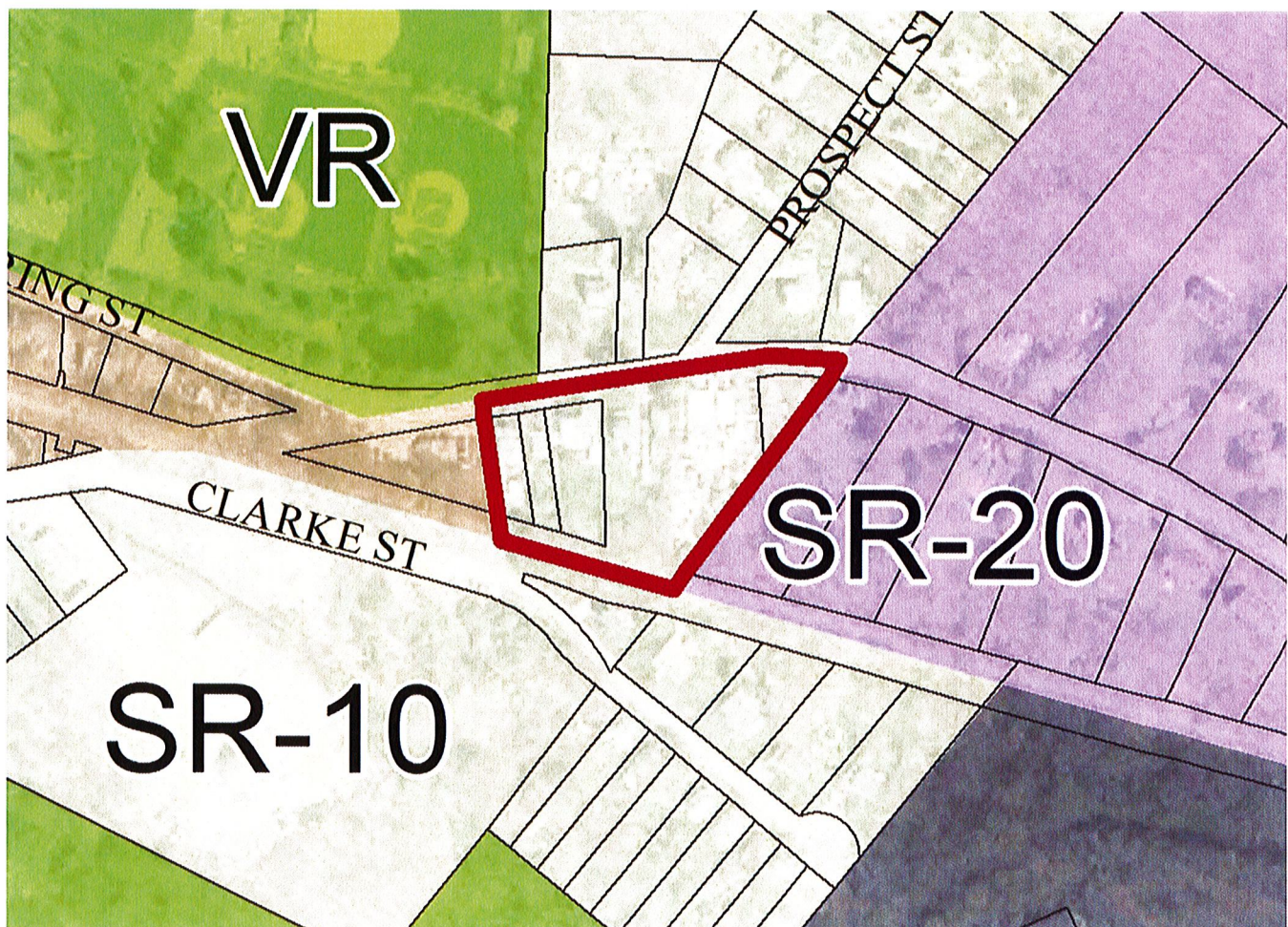
The lot identified as 213-1-6 on the Town of Monroe Tax Map, is hereby rezoned from GB to CB as shown in the map below outlined in red.



Section 5. Amending the Zoning Map to rezone remainder of GB on Spring Street to SR-10.

The following lots as designated on the Town of Monroe Tax Map, currently zoned GB, are hereby rezoned to SR-10, as shown on the map below outlined in red.

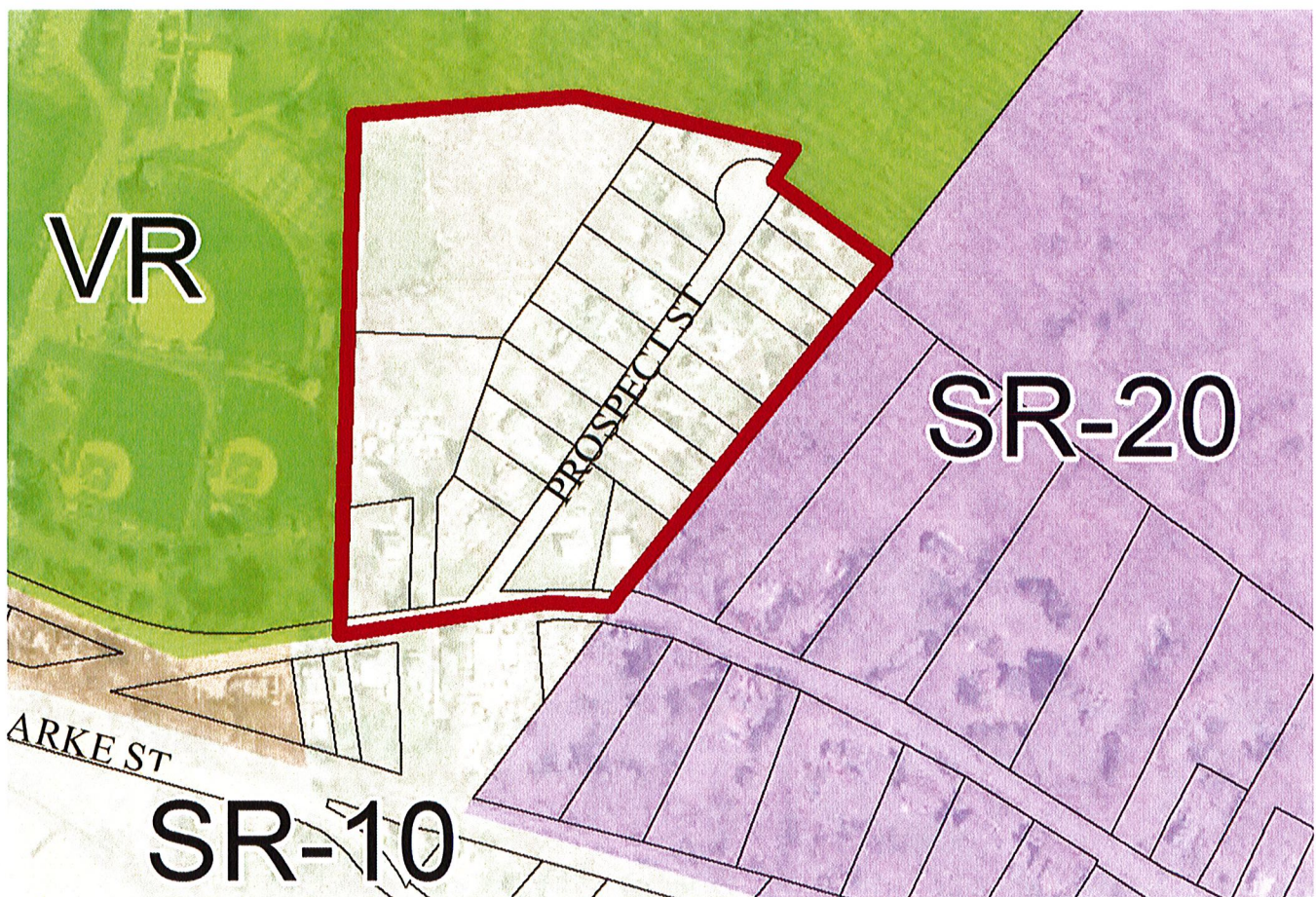
- 213-1-7
- 213-1-8
- 213-1-9
- 213-1-10
- 213-1-11
- 213-1-12
- 213-1-13



Section 6. Amending the Zoning Map to rezone the SR-20 along Prospect Street to SR-10.

The SR-20 district along Prospect Street and the lots to the west, that is comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to SR-10, as shown outlined in red on the map below.

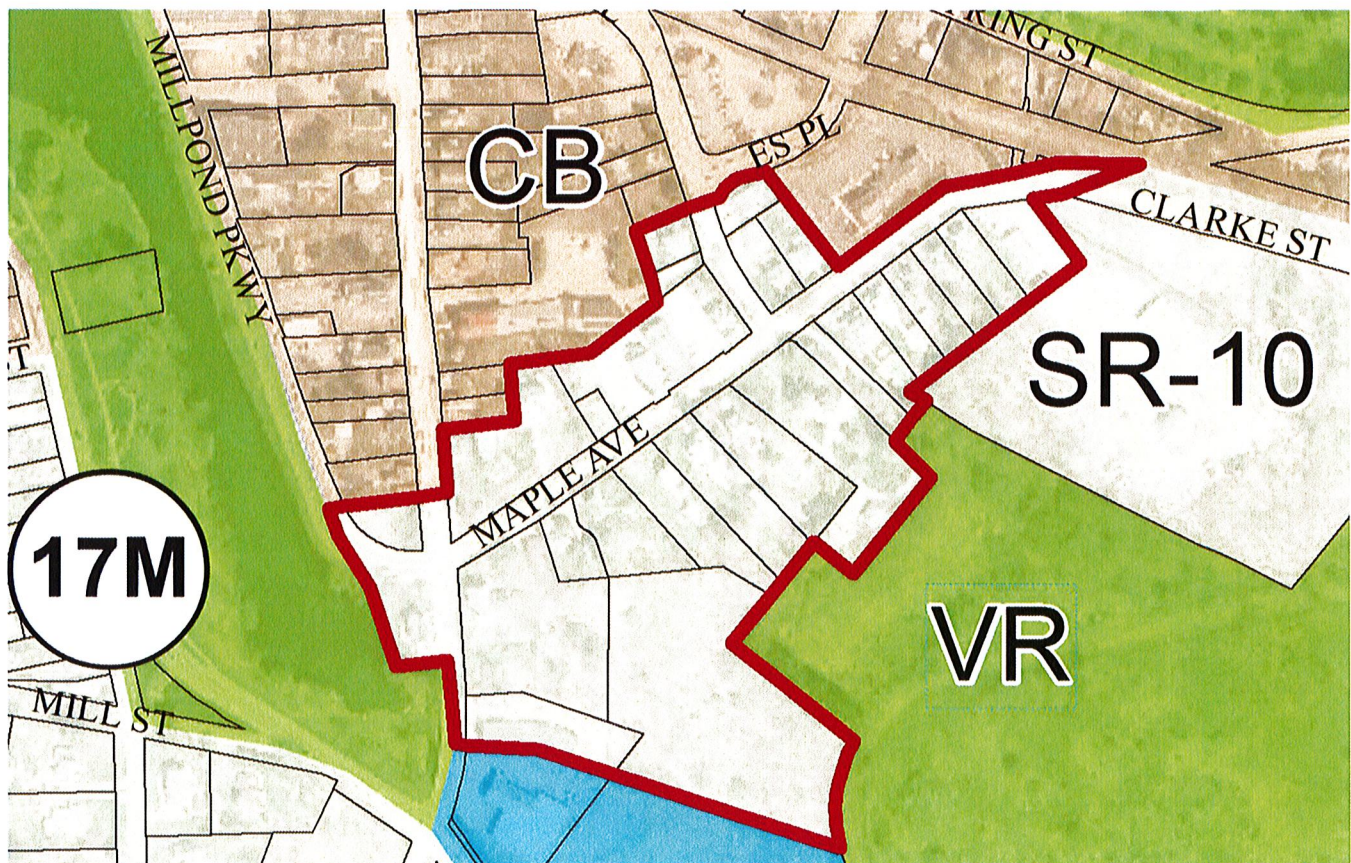
- | | | | |
|--------------|--------------|--------------|-------------|
| • 208-1-2.1 | • 208-1-2.43 | • 208-1-2.49 | • 208-1-8 |
| • 208-1-2.2 | • 208-1-2.44 | • 208-1-3 | • 208-1-9.1 |
| • 208-1-2.3 | • 208-1-2.45 | • 208-1-4 | • 208-1-9.2 |
| • 208-1-2.6 | • 208-1-2.46 | • 208-1-5 | • 208-1-10 |
| • 208-1-2.41 | • 208-1-2.47 | • 208-1-6 | • 208-1-11 |
| • 208-1-2.42 | • 208-1-2.48 | • 208-1-7 | |



Section 7. Amending the Zoning Map to rezone the CB District along Maple Avenue to SR-10.

The portion of the CB District comprised of lots with frontage on Maple Avenue (with the exception of the funeral home at 117 Mapes Place), lots with frontage on Carpenter Place south of Mapes Place, the single home on the west side of Stage Road south of Millpond Parkway, the most southerly lot between Millpond Parkway and Stage Road and the land locked parcel located to the rear of 300 Stage Road (McGarrah's Inn) that is comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to SR-10 as shown outlined in red on the map below.

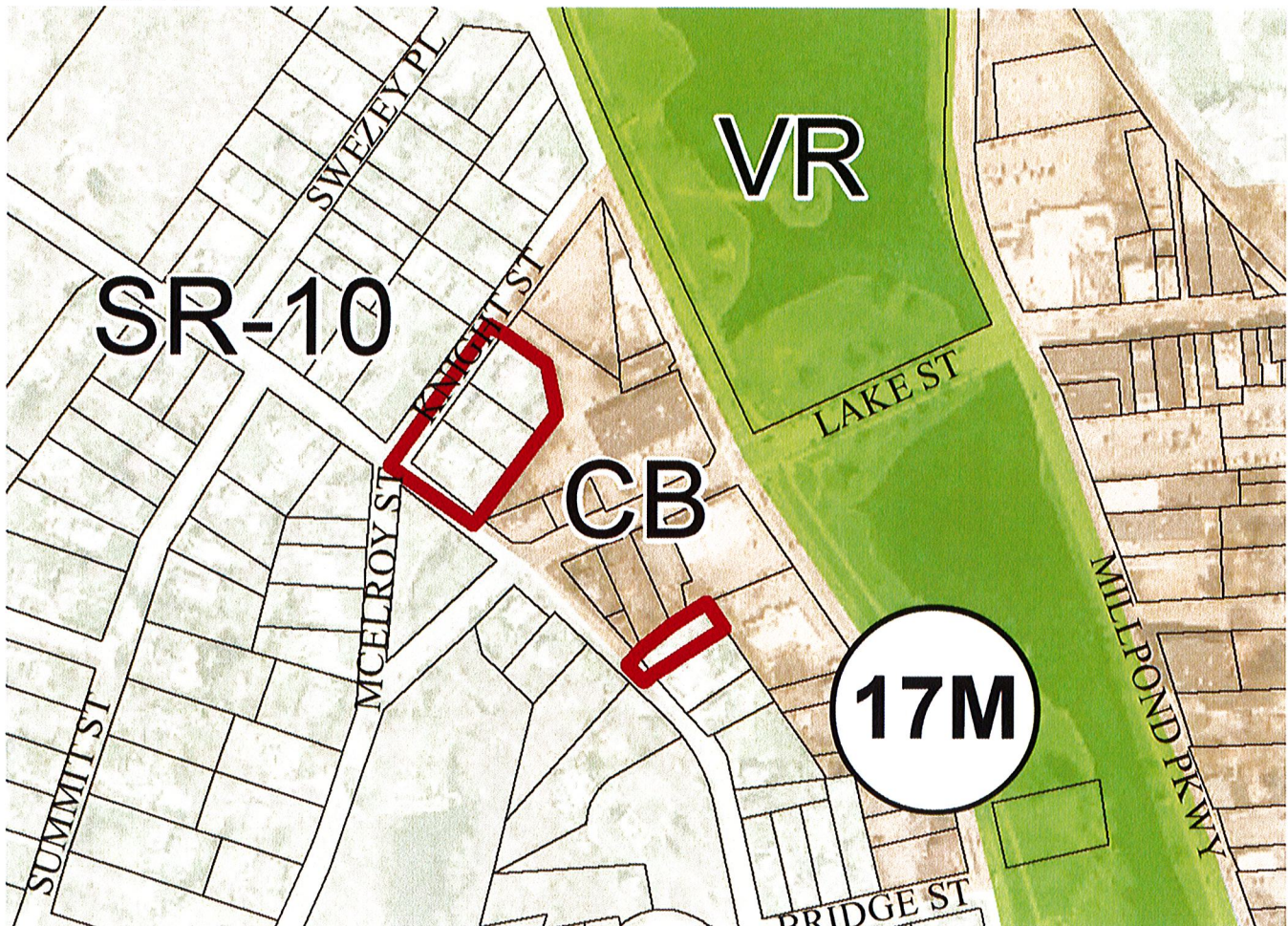
- | | | | |
|------------------------------------|---------------|------------|------------|
| • 212-3-3 | • 212-6-11.1 | • 213-1-35 | • 213-1-42 |
| • 212-6-7.13 | • 212-7-14 | • 213-1-36 | • 213-1-43 |
| • 212-6-7.21
(small part
of) | • 213-1-29.12 | • 213-1-37 | • 213-1-44 |
| • 212-6-9.2 | • 213-1-31 | • 213-1-38 | • 213-1-47 |
| • 212-6-10.1 | • 213-1-32.21 | • 213-1-39 | • 213-1-48 |
| | • 213-1-33 | • 213-1-40 | • 213-1-49 |
| | • 213-1-34 | • 213-1-41 | |



Section 8. Amending the Zoning Map to rezone four lots on the periphery of the CB District west of Route 17M to SR-10.

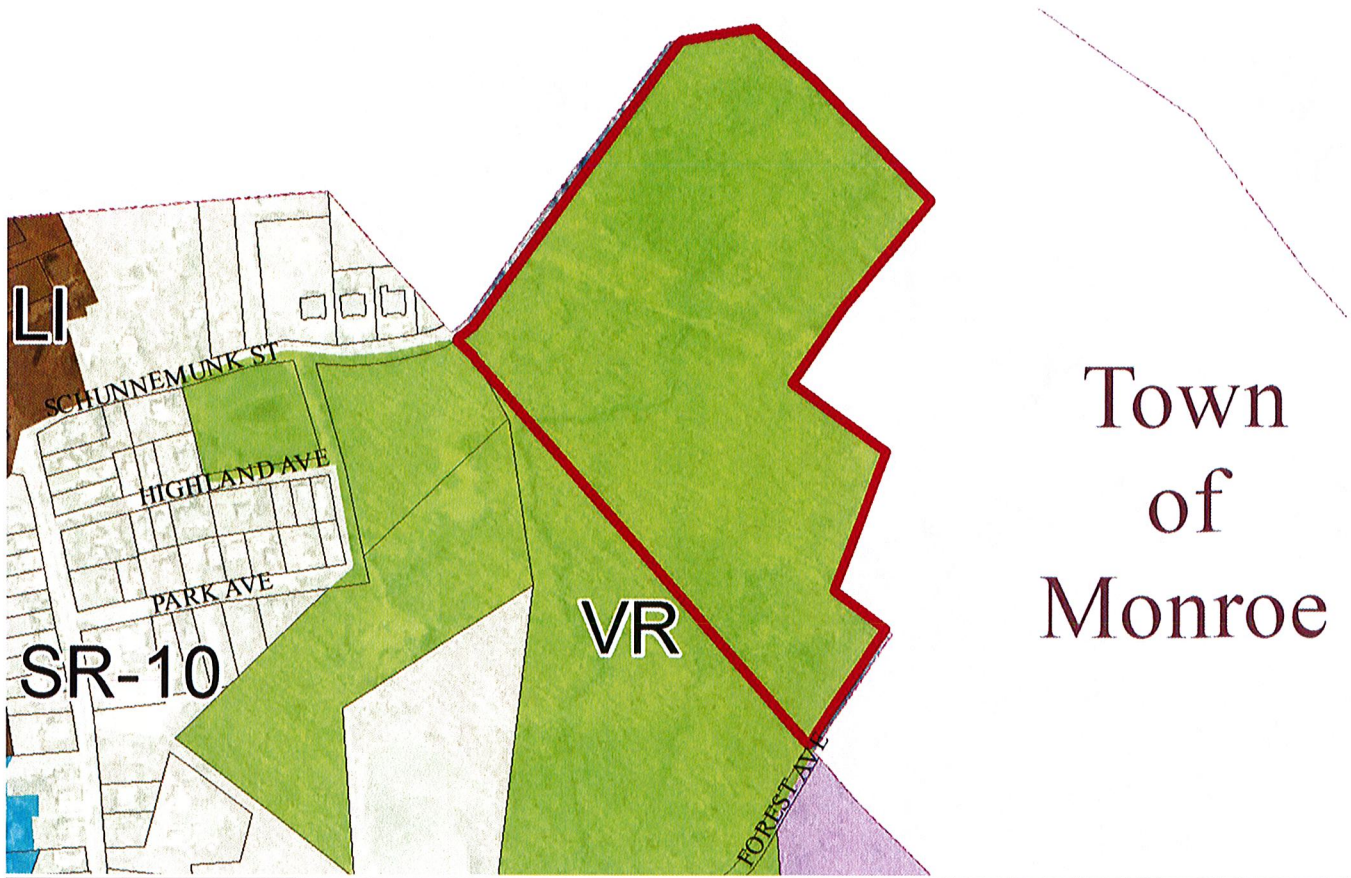
The single-family detached residential lots zoned CB that are located on Knight Street and High Street and are designated on the Town of Monroe Tax Map as follows, are hereby rezoned to SR-10 as shown outlined in red on the map below.

- 206-4-11
- 206-4-12
- 206-4-14
- 212-2-20



Section 9. Amending the Zoning Map to designate the zoning district for a recently annexed lot as VR.

The lot located on Schunnemunk Street and Forest Avenue designated on the Town of Monroe Tax Map as 202-3-3.22, is hereby zoned to VR as shown outlined in red on the map below.



Section 10. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 11. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

Section 12. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
LOCAL LAW 15 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title

This Local Law shall be known and may be cited as the Village of Monroe Mixed-Use Multifamily In the CB District Local Law of 2023.

Section 2. Legislative Purpose

This Local Law is intended to implement the recommendations of the 2023 Village of Monroe Comprehensive Plan, which recommends:

The CB zoning district already allows accessory apartments in the downtown. This multifamily housing is subject to minimum standards for usable outdoor and indoor recreation, as well as safety controls. Because housing within downtown must adhere to two separate code sections regarding accessory apartments and multifamily housing, there is some confusion as to which existing standards apply. The code needs to be revised to provide clear standards for downtown multifamily housing in mixed-use buildings. The intent should be to encourage downtown residency while ensuring that there is adequate parking, safety, and maintenance controls.

Section 3. Enabling Authority

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Changes to Table of District Uses and Bulk Regulations of the Zoning Local Law.

The row corresponding to the use, “Multifamily Housing” as listed in “Attachment 1 Table of District Uses and Bulk Regulations, CB District” is hereby deleted and replaced with “Mixed-Use Multifamily Above Commercial” and listing the following corresponding standards:

<i>Type:</i>	<i>Special Permit</i>
<i>Use-Specific Regulations:</i>	<i>§200-49.5</i>
<i>Lot Area per Dwelling Unit (square feet):</i>	<i>1,300 Square Feet</i>
<i>Lot Area (square feet):</i>	<i>No minimums specified</i>
<i>Lot Width (feet):</i>	<i>No minimums specified</i>
<i>Front Setback (feet):</i>	<i>No minimums specified</i>
<i>Rear Setback (feet)</i>	<i>20 Feet</i>
<i>One Side Setback (feet)</i>	<i>No minimums specified</i>
<i>Total Site Setbacks (feet)</i>	<i>No minimums specified</i>
<i>Lot Coverage</i>	<i>80%</i>
<i>Building Height² (feet/stories)</i>	<i>35/3</i>

Section 5. Adding a new section 200-49.5 (Mixed-Use Multifamily Over Commercial) to the Zoning Local Law.

A new section entitled, “§200-49.5 (Mixed-Use Multifamily Above Commercial) shall be added to the Zoning Local Law as follows:

§200-49.5 – Mixed-Use Multifamily Above Commercial

- A. *Information required. In addition to the requirements relevant to site plans and special use permits, the applicant shall submit a written description indicating the staging and completion of the development, type of ownership, the number of habitable rooms and bedrooms, the floor space per dwelling unit, the amount of nonresidential floor space, the number of off-street parking spaces (in accordance with Article XI, Parking and Loading) and proposals for the construction, operation and maintenance of all utility systems and the methods of ownership, control and planning by which the proper continued future operation and maintenance of all buildings, parking areas, walkways, utilities and other common lands and facilities will be assured.*
- B. *Maximum number of dwelling units. The maximum number of dwelling units shall be equal to 1 unit for each 1,300 square feet of lot area.*
- C. *In order to serve the regionally underserved market of young families, young singles, and empty nesters as determined by the Village Board in the 2023 Comprehensive Plan, and with acknowledgment to the limited area available for recreation and the limited ability to provide on-site parking, the following limitations on the number of bedrooms are imposed:*
- (1) All units proposed within the building will average no more than 1.5 bedrooms per unit.*
 - (2) No more than 20% of units shall contain three bedrooms.*
 - (3) No unit containing more than one-bedroom shall be located above the second story unless an elevator is provided.*
 - (4) No unit shall contain more than three bedrooms.*
- D. *Required minimum and maximum livable floor area. In order to prevent excessively small apartments, and in order to prevent the addition of so-called “dens,” “offices” and “bonus rooms” for the purposes of avoiding limitations on the number of bedrooms, each proposed unit shall be limited in livable floor area as follows:*
- (1) efficiency apartment : 400 to 600 Square feet livable floor area*
 - (2) one-bedroom apartment: 500 to 700 square feet livable floor area*
 - (3) two-bedroom apartment: 600 to 850 square feet livable floor area*
 - (4) three-bedroom apartment: 700 to 1000 square feet livable floor area*
- E. *Refuse. An adequate means of collecting and storing refuse between collections shall be provided. Any outside storage of garbage shall be in centralized large containers designed to prevent rodent infestations and shall be screened.*
- F. *Groundfloor use. No multifamily residential dwelling unit shall be permitted in any structure that does not contain a non-residential use authorized in the district occupying at least 80% of the ground floor. No story above the ground floor will exceed the floor area of the ground-floor story.*

Section 6. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 7. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

Section 8. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
LOCAL LAW 16 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title

This Local Law shall be known and may be cited as the Village of Monroe Multifamily Conversions Local Law of 2023.

Section 2. Legislative Purpose

This Local Law is intended to implement the recommendations of the 2023 Village of Monroe Comprehensive Plan, which recommends:

There exist residential areas of the Village that are less maintained and present aesthetic challenges to the quality of existing adjoining neighborhoods. The 2014 Plan identified some of these areas as the residences along North Main Street, the residences along Block Alley, and the residences in the vicinity of the intersection of High Street and Lakes Road. These areas of the Village correspond with areas of lower homeownership and greater landlord absenteeism. These are also areas that have greater numbers of two-family and multifamily structures, some of which have been found through code enforcement to be occupied by more than one household per living unit (over-occupancy). The previous plan proposed that these areas be provided a pathway to properly convert to multifamily residences. Since 2014, there has been a proliferation of illegal conversions, and almost no example of a successful, well-maintained multi-family conversion. In response to this, this plan recommends disallowing multi-family conversion of single-family homes anywhere in the Village.

Section 3. Enabling Authority

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Changes to Table of District Uses and Bulk Regulations of the Zoning Local Law.

The entire row corresponding to the use, “Commercial to Residential Conversions” as listed in “Attachment 1 Table of District Uses and Bulk Regulations, CB District” is hereby deleted.

The entire rows corresponding to the uses, “Conversion of Existing Residential to Multifamily” and “Conversion of Existing Residential to Two-family” as listed in “Attachment 5 Table of District Uses and Bulk Regulations, UR-M District” is hereby deleted.

Section 5. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 6. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
LOCAL LAW 17 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Village of Monroe Out of Character Dwellings Local Law of 2023.

Section 2. Legislative Purpose.

This Local Law is intended to implement the recommendations of the 2023 Village of Monroe Comprehensive Plan which recommends the following:

Ensure that dwellings are built to the scale of their neighborhoods and the lots they are located on, and that they reflect traditional residential design. Following the 2017 Comprehensive Plan update, the Village adopted Floor Area Ratio restrictions. The Village should review those restrictions to ensure that they are adequate to achieve their intended purpose of controlling the scale of structures based on the size of the lot they are located on. Additionally, there are several neighborhoods with varying lot sizes. Building construction should also be regulated to prohibit an out-of-character home from being constructed within a given neighborhood. To this end, as a pre-requisite to building permit issuance, the building department should be required to review the height above grade, interior floor area, building coverage, and yard setbacks of nearby structures to ensure that the proposed structure does not exceed the character of the established neighborhood beyond a reasonable degree.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Changes to §200-72C (Site plan and special permit review and approval; regulations; applicability) of the Zoning Local Law.

§200-72(C)(1)(a) (Site plan and special permit review and approval; regulations; applicability), which currently reads as follows:

(a) The erection or enlargement of all buildings in all districts other than single-family residences in SR-10 and SR-20 Districts, except that single-family residences shall be subject to site plan approval in flood hazard areas as defined on the Flood Insurance Rate Map.

Is hereby amended to read as follows:

(a) The erection or enlargement of all buildings in all districts other than single-family dwellings in SR-10 and SR-20 Districts, except that single-family dwellings shall be subject to site

plan approval where they exceed the thresholds of §200-25.1 (Out of Character Dwellings) or are located in the areas of special flood hazard as defined in §107-4 of the Flood Damage Prevention Chapter of the Village of Monroe Code.

Section 5. Adding a new section entitled “Out of Character Dwellings” as new section §200-25.1 of the Zoning Local Law.

The following shall be added as a new section 200-25.1 (Out of Character Homes) of the Zoning Local Law.

§200-25.1 Out of Character Dwellings.

- A. *Where the construction of a single-family detached dwelling or the expansion of a dwelling involving more than 250 square feet (or where expansions within any five-year period total more than 250 square feet) exceeds any of the following thresholds, it shall be considered to be out of character with its neighborhood and therefore subject to site plan approval and architectural review by the Planning Board. For purposes of determining compliance with these thresholds, the neighborhood shall be determined to be comprised of those eight nearest single-family detached dwellings located in the same zoning district, fronting on the same street, or such fewer homes as are so located where less than eight exist.*
 - (1) *Proposed habitable (livable) floor area exceeds more than 120% of the average “living area” of the neighborhood as reported in the tax records of Orange County. The Building Department may rely on the Orange County GIS Parcel Viewer to determine if this standard is exceeded.*
 - (2) *A basement is proposed where at least 75% of the neighborhood does not have a basement.*
 - (3) *A flat or mansard roof or any roof with a pitch of less than 4/12 is proposed where at least 75% of the neighborhood have roofs pitched at 4/12 or greater.*
 - (4) *A second story where at least 75% of the neighborhood dwellings have one story.*
 - (5) *Lot coverage that is greater than 110% of the neighborhood average. The Building Department may rely on the Orange County GIS Parcel Viewer (particularly lot area, first floor areas and the reported size of improvements) to determine if this standard is exceeded.*
- B. *The following thresholds shall also trigger site plan and architectural review:*
 - (1) *Irrespective of the front setback requirement, a dwelling or addition to a dwelling that is proposed closer to the street line than both of two adjoining existing neighboring dwellings, where such dwellings front on the same street and are located within 200 feet.*

Section 6. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 8. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

Section 10. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

VILLAGE OF MONROE
LOCAL LAW 18 OF 2023

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Title.

This Local Law shall be known and may be cited as the Village of Monroe Urban Residential-Multifamily Local Law of 2023.

Section 2. Legislative Purpose.

This Local Law is intended to implement the recommendations of the 2023 Village of Monroe Comprehensive Plan, which recommends the following:

Recommendation H.1.2.1: Eliminate UR-M from any remaining vacant lands. The Village should rezone any remaining vacant lands currently zoned UR-M to SR-10. The public clearly indicated that townhouses and multifamily housing is not a preferred option for remaining vacant land in the Village. These types of housing are common in the region and continued construction of townhouse and multifamily housing outside of the downtown has the potential to encroach on the existing single-family character of most of the Village's neighborhoods. The one exception to this is the UR-M district located in and around Evergreen Lane. This particular area of UR-M is proposed to be retained as an incentive for redevelopment of the area, which is viewed as substandard. Where the UR-M is retained, it is recommended that the zoning be amended to ensure that any new UR-M housing serve underserved targeted populations identified in Objective 2 and remain relatively affordable by imposing size and bedroom count restrictions on the future units. Where vacant UR-M lands have received preliminary or final approval for development, a reasonable period should be afforded to construct such projects before being subjected to SR-10 zoning.

Section 3. Enabling Authority.

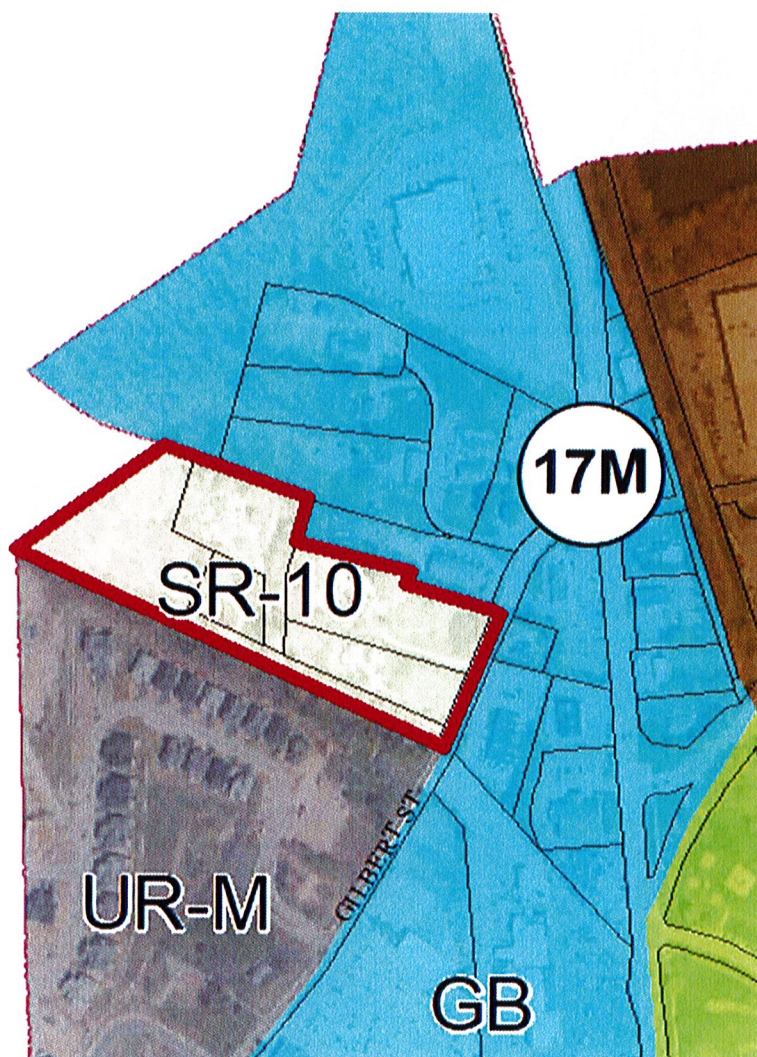
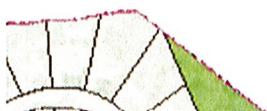
The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. Amending the Zoning Map to eliminate UR-M districts from vacant lands and lands that have not been approved or developed for multifamily or single-family attached residences.

The UR-M district on the east side of Gilbert Street, north of and not part of the development known as Smith Farm comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to SR-10, as shown outlined in red on the map below.

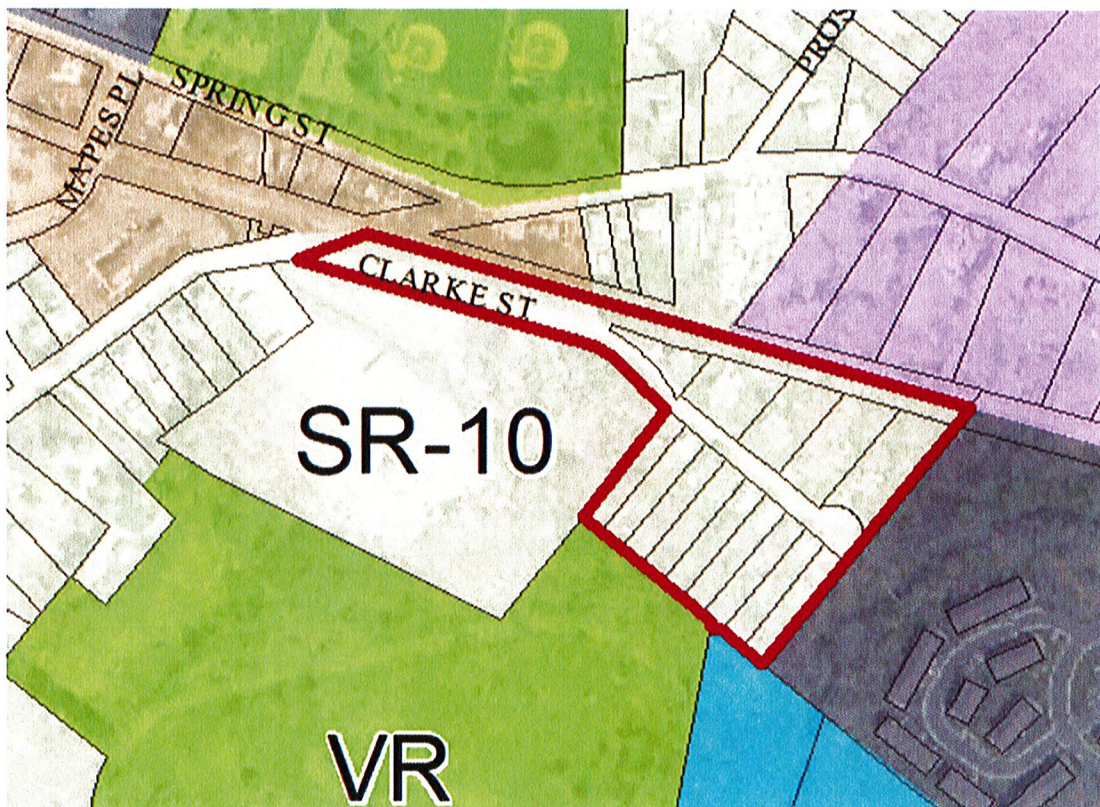
- 201-1-4
- 201-1-5
- 201-1-6
- 201-1-7.12
- 201-1-7.21

Town
of
Monroe



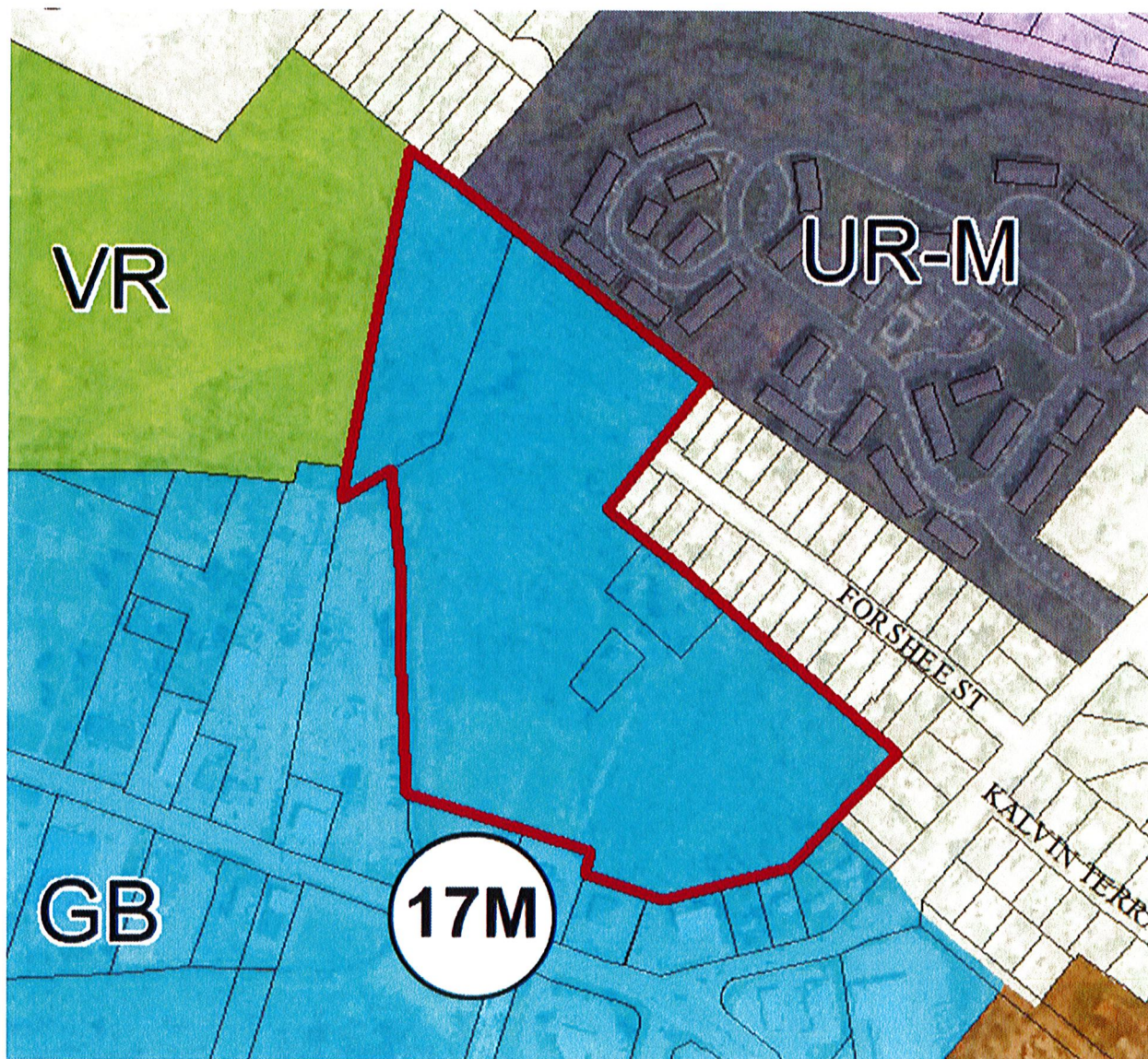
The UR-M district northwest of and not part of the development known as Hidden Creek that is located along the Clarke Street and that is comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to SR-10, as shown outlined in red on the map below.

- 213-1-17.21
- 213-1-18.12
- 213-1-18.22
- 213-1-18.32
- 213-1-18.41
- 213-1-20
- 213-1-21
- 213-1-22
- 213-1-23
- 213-1-24
- 213-1-25
- 213-1-26
- 213-1-27
- 213-1-28



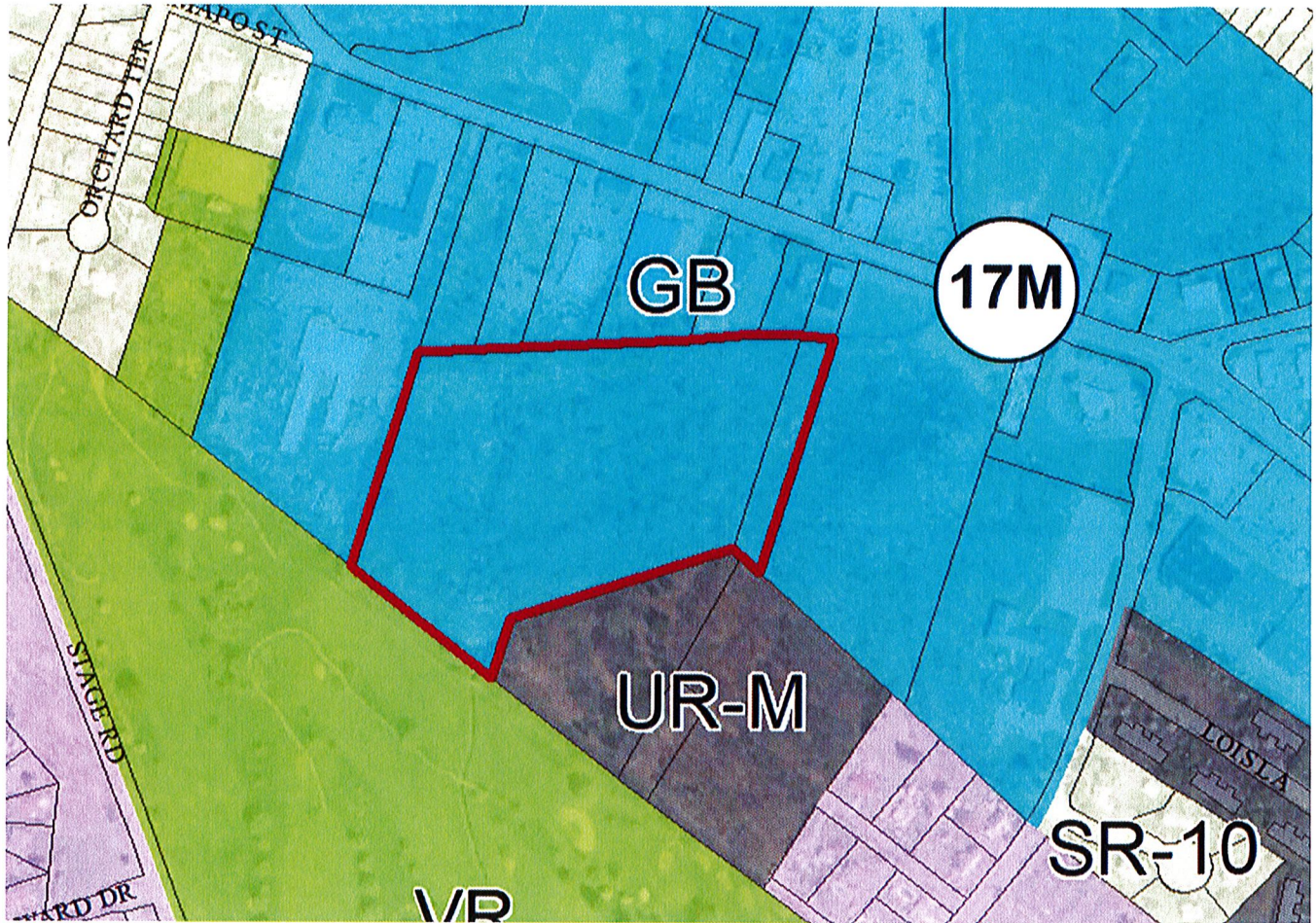
The UR-M district southwest of and not part of the development known as Hidden Creek that is located beyond the terminus of Forshee Street and that is comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to GB, as shown outlined in red on the map below.

- 213-1-50
- 214-1-56.22
- 214-1-57
- 214-1-58



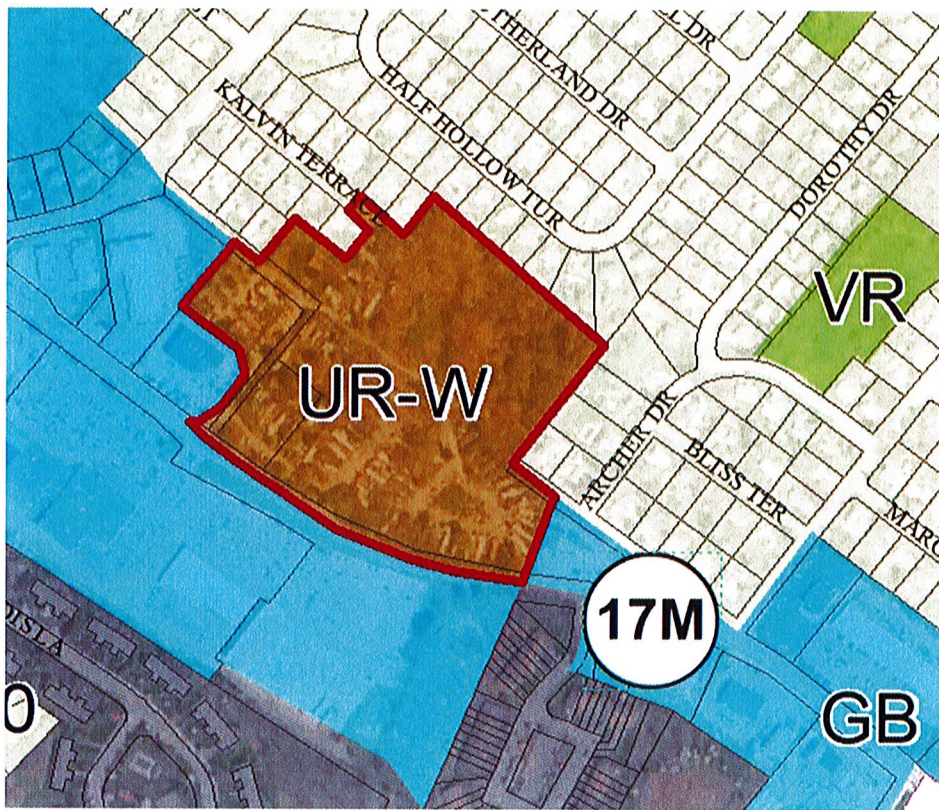
The UR-M district northwest of and not part of the development known as “The Q”, and that is comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to GB, as shown outlined in red on the map below.

- 220-5-25
- 222-1-16



The UR-M district north of Route 17M and east of Freeland Street located along the roads known as Evergreen Lane, Lisa Lane, Vista Lane, Pebble Lane, Michael Lane, David Lane, Buffi Lane, Emerald Lane and Chestnut Circle and that is comprised of the following lots as designated on the Town of Monroe Tax Map, is hereby rezoned to a new district to be known as “Urban Residential – Workforce (UR-W)” , as shown outlined in red on the map below.

- 215-1-9
- 215-1-24.1
- 215-1-24.2 (part of)
- 215-1-26.2



Section 5. Adding a new district entitled “Urban Residential - Workplace” to §200-6 (List of Districts) in the Zoning Local Law.

A new row reading as follows is hereby added to the §200-6 List of Districts of the Zoning Local Law:

<i>UR-W</i>	<i>Urban Residential - Workforce</i>
-------------	--------------------------------------

Section 6. Adding a new Attachment (Table of District Uses and Bulk Regulations, UR-W District) to the Zoning Local Law.

Section 200-12, the Table of Uses by District Bulk Requirements, is hereby amended by adding a new Use and Bulk Table for the UR-W District as follows:

<i>UR-W</i>		<i>Use-Specific Regulations</i>	<i>Minimum</i>						<i>Maximum</i>	
			<i>Lot Area (square feet)</i>	<i>Lot Width (feet)</i>	<i>Front Setback (feet)</i>	<i>Rear Setback (feet)</i>	<i>One Side Setback (feet)</i>	<i>Total Side Setbacks (feet)</i>	<i>Lot Coverage</i>	<i>Building Height (feet/stories)</i>
<i>Ambulance service</i>	<i>Permitted</i>		10,000	100	30	35	15	30	25%	35/2
<i>Bed-and-breakfast</i>	<i>Special permit</i>	§ 200-60	20,000	100	40	50	25	40	25%	35/2
<i>Community recreation/park (noncommercial)</i>	<i>Permitted</i>		<i>No minimums specified</i>						<i>No maximum specified</i>	
<i>Fire protection service</i>	<i>Permitted</i>		10,000	100	30	35	15	30	25%	35/2
<i>Mobile home court</i>	<i>Special permit</i>	§ 200-49.4	5 acres	200	150	40	50	80	30%	35/2
<i>Gathering Place, Residential</i>	<i>Special permit</i>	§200-60.1	10,000	100	30	35	15	30	25%	30/2
<i>Place of Worship, Neighborhood</i>	<i>Special permit</i>	§200-60.2	20,000	100	30	35	20	40	25%	30/2
<i>Place of Worship, Community</i>	<i>Special permit</i>	§200-60.3	60,000	150	30	40	25	50	25%	30/2
<i>School of General Instruction</i>	<i>Special permit</i>	§200-58.2	120,000, plus additional as per §200-58.2	200	80	50	40	80	25%	30/2
<i>Workforce residential</i>	<i>Special permit</i>	§ 200-49.6	40,000 ¹	150	20	50	01	01	25%	35/2
<i>One-family detached dwelling</i>	<i>Permitted</i>		10,000	100	30	35	15	30	25%	35/2
<i>Public utility structure or ROW</i>	<i>Special permit</i>	§ 200-48	<i>No minimums specified</i>						<i>No maximum specified</i>	

NOTES:

¹ Minimum 3,000 square feet lot area per dwelling unit

Section 7. Adding UR-W to the list of residential districts for various controls throughout the Zoning Local Law.

The Definition of Unreasonable Noise contained in §145-2 (Definitions) is hereby amended to include “UR-W” in the first row of district noise levels (with SR-20, SR-10, and UR-M) in paragraph D.

§200-26.2K (Requirements for accessory structures) is hereby amended to read as follows:

In the UR-M and UR-W Zoning Districts, all accessory structures shall follow the SR-10 setback regulations.

Section 8. Adding a new section 200-49.6 (Workforce Residential) to the Zoning Local Law.

A new section entitled, “§200-49.6 Workforce Residential” shall be added to the Zoning Local Law as follows:

§ 200-49.6 Workforce residential.

- A. *Information required. In addition to the submission of a site plan, the applicant shall submit a written description indicating the staging and completion of the development, type of ownership, the number of habitable rooms and bedrooms, the floor space per dwelling unit, the amount of nonresidential floor space, if any, the number of off-street parking spaces (in accordance with Article XI, Parking and Loading) and acreage to be devoted to open spaces, as well as the types of planned recreation facilities, proposals for the construction, operation and maintenance of all utility systems and the methods of ownership, control and planning by which the proper continued future operation and maintenance of all buildings, recreation facilities, open space, parking areas, walkways, utilities and other common lands and facilities will be assured.*
- B. *Workforce residential may include multifamily residential, single-family detached dwellings, townhouse/condos and two-family dwellings at an overall density of one unit per 3,000 square feet after deducting the following:*
 - (1) *Lands presently utilized by public utilities or structures, rights-of-way, easements and streets.*
 - (2) *Water bodies, wetlands, marsh areas, streams, floodplains, stormwater retention areas and alluvial and organic soils (as determined by the Planning Board's authority).*
 - (3) *Slopes equal to or greater than 20%.*
- C. *In order to serve the regionally underserved market of young families, young singles, and empty nesters as determined by the Village Board in the 2023 Comprehensive Plan, the following limitations on the number of bedrooms are imposed:*
 - (1) *All units proposed within the building will average no more than 2 bedrooms per unit.*
 - (2) *No more than 25% of units shall contain three bedrooms.*
 - (3) *No unit shall contain more than three bedrooms.*
- D. *Required minimum and maximum livable floor area. In order to prevent excessively small apartments, and in order to prevent the addition of so-called “dens,” “offices” and “bonus rooms” for the purposes of avoiding limitations on the number of bedrooms, each proposed unit shall be limited in livable floor area as follows:*
 - (1) *efficiency unit: 400 to 750 Square feet livable floor area*
 - (2) *one-bedroom unit: 500 to 850 square feet livable floor area*
 - (3) *two-bedroom unit: 600 to 1,000 square feet livable floor area*
 - (4) *three-bedroom unit: 700 to 1,250 square feet livable floor area*
- E. *Land for recreational purposes and for permanent open space. At least 25% of the total area of the site shall be composed of land which is used for recreational purposes and/or preserved as open space. In reviewing the development plan, the Planning Board may require that up to 35% of the gross acreage be composed of recreation and open space in order to preserve environmentally sensitive land, to preserve vistas or to create needed recreational facilities.*
- F. *Design. The design shall assure aesthetics and privacy by taking into consideration the scale of buildings, setbacks, rear yards and semiprivate areas, such as patios. The application shall require Architectural Review pursuant to §200-73.*
- G. *Undergrounding of utilities. All power and communication lines shall be installed underground in the manner prescribed by regulations of the governmental agency or utility company having jurisdiction.*
- H. *Cooling systems. Cooling systems shall be designed so as to minimize adverse aesthetic impact.*

- I. Refuse. An adequate means of collecting and storing refuse between collections shall be provided. Any outside storage of garbage shall be in centralized large containers designed to prevent rodent infestations and shall be screened where necessary.*

Section 9. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 10. Severability.

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

Section 11. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

September 11, 2023

VIA EMAIL AND USPS

Mayor Neil S. Dwyer
Village of Monroe
7 Stage Road
Monroe, NY 10950
mayor@villageofmonroe.org
clerk@villageofmonroe.org

Re: Village of Monroe Proposed Local Law 5

Dear Mayor Dwyer:

The New York State Office of the Attorney General has serious concerns that the Village of Monroe's proposed Local Law 5, "Village of Monroe Place of Worship and Schools Local Law," violates state and federal law by restricting the religious practice of Orthodox Jewish residents. The proposed law places restrictions on residential gathering places, neighborhood places of worship, community places of worship, and schools of general instruction that could violate the rights of Orthodox Jews to exercise their religion.

New York law presumes that educational and religious land uses have an inherent beneficial effect on the community. *See, e.g., Westchester Day Sch. v. Vill. of Mamaroneck*, 504 F.3d 338, 351 (2d Cir. 2007). In enacting zoning regulations restricting religious or educational uses, local governments must balance those beneficial effects against the law's possible benefits to the public's health, safety, and welfare. *See Cornell Univ. v. Bagnardi*, 68 N.Y.2d 583, 595 (1986). New York law strictly prohibits zoning laws that "by their cost, magnitude or volume...operate indirectly" to exclude religious use. *Id.* at 596.

Federal law is "more demanding." *Congregation Rabbinical Coll. of Tartikoff, Inc. v. Vill. of Pomona, NY*, 945 F.3d 83, 93 (2d Cir. 2019). Under the Religious Land Use and Institutionalized Persons Act, local zoning laws cannot impose a substantial burden on religious exercise unless that burden is the least restrictive means for furthering a compelling governmental interest. 42 U.S.C.A. § 2000cc. The bar is high for justifying burdens on religious practice. *See, e.g., Westchester Day Sch. v. Vill. of Mamaroneck*, 417 F. Supp. 2d 477, 551–55 (S.D.N.Y. 2006) (holding that visual impacts, property values, aesthetics, parking, and traffic



STATE OF NEW YORK
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were either not compelling government interests or needed to be addressed through less restrictive means).

The Fair Housing Act makes it “unlawful to make unavailable or deny, a dwelling to any person because of...religion.” 42 U.S.C.A. § 3604(a). Cases can be brought either on proof of disparate impact or discriminatory intent. *See Mhany Management, Inc. v. County of Nassau*, 819 F.3d 581, 606 (2d Cir. 2016). This law has effectively been applied to zoning ordinances which discriminate against religious exercise in the past. *See, e.g., Leblanc-Sternberg v. Fletcher*, 67 F.3d 412, 434 (2d. Cir. 1995).

Proposed Local Law 5 appears to limit the ability of Orthodox Jews to practice their religion in violation of these state and federal laws. The OAG is not persuaded that the law’s stated rationale is sufficient to justify those restrictions. To the extent the proposed law addresses legitimate health and safety concerns, the OAG is not persuaded that its requirements are the least restrictive means for achieving the law’s goals.

Accordingly, the OAG asks that you delay any action on Local Law 5 until our office has had a thorough opportunity to evaluate the law. We further request that you provide a written justification by **September 29, 2023**, describing the compelling governmental interest Local Law 5 is intended to address and why it is the least restrictive means for advancing that interest. This letter should identify what specific problems the law seeks to remedy. Failure to comply will result in further action by our office.

Sincerely,
/s/ Rick Sawyer

Travis England, Deputy Bureau Chief
Rick Sawyer, Section Chief
Joel Marrero, Assistant Attorney General
Civil Rights Bureau
Office of the Attorney General
Travis.england@ag.ny.gov
Richard.sawyer@ag.ny.gov
Joel.marrero@ag.ny.gov
(212) 416-6182

Kim Zahra

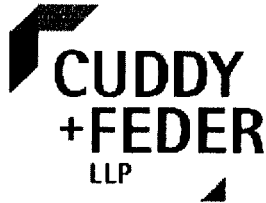
From: Sawyer, Richard <Richard.Sawyer@ag.ny.gov>
Sent: Wednesday, September 13, 2023 5:12 PM
To: Neil Dwyer; Kim Zahra
Cc: Marrero, Joel; England, Travis
Subject: NYAG Letter Concerning Proposed Local Law 5
Attachments: OAG Notice to Village of Monroe.pdf

I have attached correspondence from the New York State Office of the Attorney General.

Rick Sawyer | Section Chief, Hate Crimes and Bias Prevention

New York State Office of the Attorney General, Civil Rights Bureau
28 Liberty St., New York, NY 10005
Tel: 212.416.6182
Cell: 347.541.0579 | richard.sawyer@ag.ny.gov | www.ag.ny.gov
Pronouns: He/Him/His

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T 914 761 1300
F 914 761 5372
cuddyfeder.com

Michael V. Caruso
mcaruso@cuddyfeder.com

September 14, 2023

Village of Monroe Board of Trustees
Monroe Village Hall
7 Stage Road
Monroe New York 10950

Re: Proposed Local Laws 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 of 2023
(collectively, the “Proposed Laws”).

Dear Honorable Members
of the Board of Trustees:

This is respectfully submitted on behalf of W.C. Lincoln Corp. (“Lincoln”), as record owner of a certain 19.8-acre subdivision identified on the Village of Monroe Tax Map as S/B/L 211-1-1 (the “Premises”), with respect to the Village Board adopting the Proposed Laws. On behalf of Lincoln, I ask that the Town Board take its time and continue engaging in the public hearing and deliberation process to properly vet Lincoln respectfully submits that three (3) principal reasons justify the Village Board abstaining from any vote to adopt the Proposed Laws until the proper procedural and substantive course of action is undertaken.

First, there is no evidence that the Village Board considered or reviewed the proposed environmental significance or any consequent impacts from adopting the Proposed Laws. It appears the record lacks evidence of the Proposed Laws will conform with predominant land uses throughout the Village including Lincoln’s development of a subdivision on the Premises. There is no evidence that the Proposed Laws compatibility with the Village’s Comprehensive Plan and the goals expressed therein.

Secondly, Lincoln is unaware of the Village Board conducting any proper SEQRA review in connection with adopting the Proposed Laws. As the Board is likely aware, SEQRA’s environmental significance review mandate be thoroughly and methodically applied to the proposed actions (i.e., reviewing and adopting the Proposed Laws). This necessarily involves typing the proposed action(s), designating lead agency, agency circulation, coordinated review, and proper findings at every stage of the coordinated review process. SEQRA requires strict compliance with its mandates. It does not appear that the Board is adopting the Proposed Laws in compliance within SEQRA’s letter and spirit. Nor is there any evidence that the Board took the relevant “hard look” as SEQRA requires.

September 14, 2023

Page 2

Third, the Proposed Laws have a very targeted focus that will disproportionately impact property owners such as Lincoln where the Premises is contiguous to or adjoins historically significant property. The Proposed Laws does not appear to be in furtherance of a “well-considered and comprehensive plan calculated to serve the general welfare of the community.” See *atter of Daniels v. Van Voris*, 241 A.D.2d 796, 799 (3d Dep’t 1997); see *Boyles v. Town Board*, 278 A.D.2d 688 (3d Dep’t 2000). As such, the adoption of the Proposed Laws will single-out a small parcel of land such as the Premises “for a use classification totally different from that of the surrounding area for the benefit of the owner of said property to the detriment of other owners” making it akin to illegal spot zoning. See *Citizens for Responsible Zoning v. Common Council of City of Albany*, 56 A.D.3d 1060 (3d Dep’t 2008). This type of practice is the very antithesis of planned zoning. See Rathkopf, *Law of Zoning and Planning* (2d ed., 1949), p. 72 *et seq.*

The Proposed Laws (in particular, the amendments to Floor Area Ratios) will disparately impact the Premises and their constituent lots, making it nearly impossible for existing lots to comply with the proposed FAR standards. No doubt, this is geared toward the Premises and not the greater community.

The limited record of proceedings before the Village Board does not support the conclusion that the Proposed Laws are properly before the Board to be voted upon or adopted. Thank you for your consideration. Lincoln reserves all rights with respect to the Proposed Laws and their application to the Premises.

Very truly yours,

Cuddy & Feder LLP

By: /s/ Michael V. Caruso

Michael V. Caruso

cc: W.C. Lincoln Corp. (via email)

September 7

Dear Board of trustees

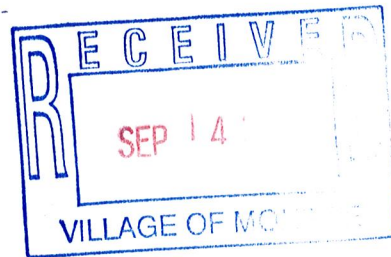
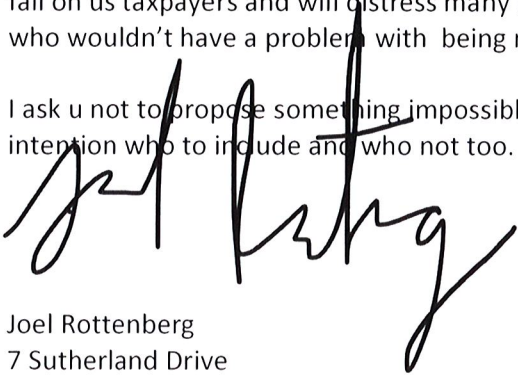
As a new resident less than a month, I got informed of a current new commercial Vehicle Proposed Law. And about current eminent domain, I thank for lettering my voice raised

As a Hard working Bus Driver not receiving 150% annual increases (as some of this board), our buses should not be Discriminated on mid-day parking, in our lots, we do make small stop at home between shifts and we should not be required to travel to the parking lots an extra 30 minutes to get our cars for a short home visit, just because it a bus, while recreation vehicles With the same height and almost the same weight can be parked in the lots (just because some trustees do have some trucks – see June trustee hearing) and disregarding danger to public (**if any**, and btw no mention of the health and safety at this law at all)

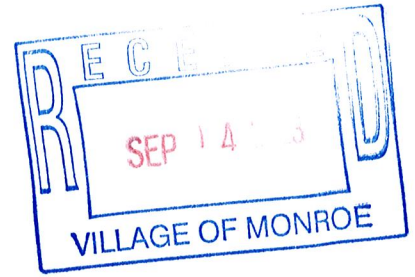
I also can't get the reason of taking such expensive property, Especially when all expenses will at the end fall on us taxpayers and will distress many residents, no one has a problem with preserving history, but who wouldn't have a problem with being money drained and having to pay for something senseless,

I ask u not to propose something impossible, and something obviously directly targeted with clear intention who to include and who not too.

Joel Rottenberg
7 Sutherland Drive



Joel teller
5 Pearsall Dr.
Monroe NY 10950.
Joel1tzfaz@gmail.com



Dear board

This board did not mention any reason of each and every line defining "commercial" and why bus drivers (CDL) should be discriminated when they are almost the same in size of a recreational vehicle, and the board is well aware that we only want to park in our lots when we have small breaks Between shifts and routes, Also it should be noted that - This law does not include any reason for such change and nothing will be resolved equally with such enforcement.

I ask this board to overthink such affects and not to direct laws on one specific group of blue Colour bus drivers when luxury recreational vehicles can be parked in lot (oh not to forget one of the trustees ones one), and commercial plates (construction) vehicles can even be parked on the street (since on main figure ty on this board is doing contracting in this village).

It appears that the only way our voice should be raised is by getting a bus driver into this board, this board has really narrow and selfish view on how this impact and disregarding can affect me and other bus drivers in spending family time and to give my kids what they deserve to have which is a "father".

While being at the public hearing at Sep 5, I also saw the fact that this village is now looking to take 47 Lakes by Eminent domain, I view it as a irresponsible and misrepresenting the public to use public funds for something this board already voted upon not excepting it for free, do to high maintenance cost in rehab cost and do to a Local Village Engenieer estimated 500,000.00 to repair Dam,

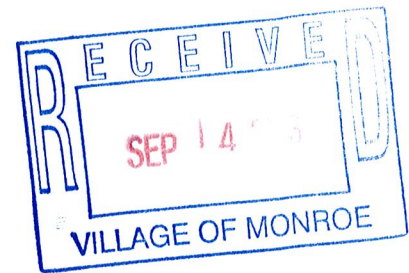
I also recognised and would like to memorise it into the records that each and every zoning district has become more restrictive, expect the GB district which has become more lenient for developers without a single requirement of parking? Provided with more lot coverage, zero setback required and many more money making and developer friendly codes. Its clear that this is all pushed by a parcel owner of 106 Stage road (which is also a well known contractor in this village) who is Lately on a clear agenda to drain public tax funds while building his personal Real estate profile, and ensuring the well being of his properties (maybe as a relief and equity gain and to repay publicly defaulted property loans).

This village is beautiful and was always beautiful and welcoming, but until recently when proposed directed laws and unfair actions with clear disregard of the needs of the people and residents of this village, such acts does not creat good faith and trust as an administration.

I ask this board not to standby and not to allow the passing of any unnecessary directed laws and to act not to succeed with unneeded litigation un the name of this public.

Joel Teller

Chana teller
5 pearsall Drive
Monroe NY 10950.



Re: comment on Local law #
& Roscoe Smith - Acquisition

September 8, 2023

Dear Board of trustees,

I would like to raise my concerns on your most recent proposal of laws and actions, effecting our lives and the well being of our family.

Restricting peking of vehicles required CDL in the driveway even for a short time, will affect the live of me and my kids - who deserves a father - who will not be able to visit in middle of the day because of such restriction, prior discussions only protect this board's personal needs as recreational trucks and commercial plated vehicles.

The board did not mention in any prior meetings a official Goal what this village is looking to archive with such direct restrictions and if this proposed law will fulfil such achievement.

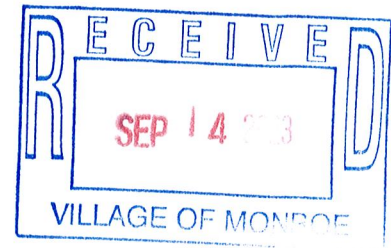
I would also like to raise my voice and concern about this boards latest attempts to take the Roscoe Smith property, I do not have a problem preserving history but I can not afford to pay a cent in additional taxes, taxes isn't a joke and isn't meant to be used by abusers of public power, each tax payment me and my husband make is hard earned money and each unnecessary litigation and acquiring unnecessary land, is on the account of the local hard working residents who are working hard to feed their kids.

I hope this Board overthinks, and try to put your miss into the head of the locality.

Appreciate your time, & Hope for consideration

Chana teller

Goldy Rottenberg
7 Sutherland Drive
Monroe NY 10950



Sep - 11. - 2023

Dear village Board.

I recently moved into this village and I'm concerned on the latest unnecessary actions by this village by acquiring expensive land and defaulting this village which will affect each and every resident and tax payer, will also create division between the local communities and this board, also this board is proposing the impossible and fully restricting FAR law which is something no other municipal have done and Gone that far to include basements in the calculated sqf. And impacting all lots in this village and make them as non conforming non-conformising almost all existing lots (besides GB zone on stage where the Mayer in control of a few LLC's is

The village did not mention to the public if such inclusion will affect property Taxes, and if the town of monroe assessor which is guided by different state laws that might require him to have change his assessment since recorded square footage will change all over in this village, if such law is adopted.

The village also lacked of mentioning any reason and any benefit the the public and general welfare will have by the proposed definition of commercial Vehicles,

This village also recognize on the Comprehensive plan minutes at a June 9 2022 meeting that the comprehensive plan should be available and reached out thru organizations in many different languages of population Of this village included Yiddish / Hebrew, this has not be done and instead it appears that the opposite is being done by hiding the outcome into definitions, and by proposing 17 laws in one meeting w/o a normal possibility for the public to comment.

The public has been made aware (publicly) who's properties are being negatively affected by this outcome and who's are becoming positively affected, (it appears that not surprisingly almost all of village officials are gaining).

Goldy R



Dear board.

I'm here to comment on your recent social gathering law, & on ongoing eminent domain.

Thanks for finally looking into safeguarding and imposing safety laws on social gatherings, we appreciate your dedication and work to insure safety & health for the locality, I am fully in support of the latest measurements in enforcing building codes including capacity and other safety measures.

But some of the code clearly appears clearly not working for one of the biggest communities in this village, this board has not come up and not even tried to come up with an alternative that can satisfy both the communities and the health and safety, I ask this board to take into consideration the following facts about one of the biggest local communities and religious group being directly affected by such proposals

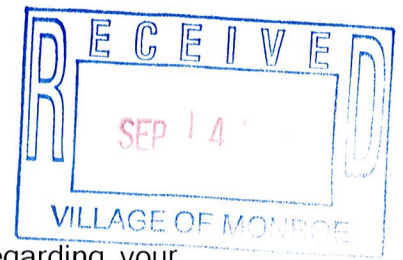
1) no parking spot needed for Jewish - orthodox Friday and Saturday gatherings, since no cars are allowed to be used, 2) we do need to use such social gatherings more than 12 times a year, and if 12 can work I do request this board to increase such number to once a week and add all religious holidays (that restricts driving) in order this should work with local communities,

Where Commercial places and synagogues can be built legally are not walking distended to most residential areas in this village, I understand the fact and the latest overflow of Hasidic Orthodox Communities in this village, which is slightly different than other Synagogues the village had till now since it's an observant community not driving and working on shabbat and holidays, but instead of seeing this board fighting the reality I would appreciate to see this board working with it, and not impose the impossible.

I would also like to comment publicly about your most recent eminent domain proceedings on the Roscoe Smith Estate, since I'm familiar with this property, I honestly don't think that this has any future. Although I wouldn't deny the fact that this property has really beautiful features I don't think that little strip is enough to accommodate the public with parking, and the building is a real mess as this board is aware, besides the fact that it does not fit public accommodation it appears that this will create a major tax increase on all properties in this village including my, I do not wish to see any increase in result of something not needed and private interests, such property should be used to generate tax income and to lower out tax bills.

Sincerely

Joseph Indig. -12 Rosmini Ln.



Dear board,

As u are aware I already attended and spoke priorly on a meeting regarding your proposed law, and thanks for your willingness and understanding of this board to work with the hard working bus drivers of this village, at the last meeting the mayor looked very willing and understanding to work with us and insure us that we will be able to go home with our busses to our families for short stops during the day, and park the busses in our driveways,

I watched this boards June meeting where there is a discussion (the only public discussion on record) on how the definition of commercial vehicles Should be governed, which is critical and highly impacting our situation which has been explained before this board,

Surprisingly This village acted to protect Trustee Farraro's large recreational Vehicle, and the mayors commercial platted truck he clearly admitted he's using it for construction but disregarding the hard working bus drivers looking for a short time parking to spend time with Thierry kids between trips.

I do have a car and To take my car I have to travel 15 minutes each way to the parking lot total of half hour, when most of such breaks or about 20 minutes, I do not think it's fair to direct and impose something personally affective on me and my families lives.

And I also ask this board before proposing any laws affecting religious practices directly or indirectly to discuss it with local rabies or community leaders, if u lack a point of contact I can assist u with that,

Also about the FAR, I would like this village to publicly discuss the impacts this will have on the existing houses, also the fact that we will have to go to planing board for any extension or anything involving earth disturbance, i don't think it is fair to steal all our "as of rights" to build and require PB review which is also expensive, I don't think

it's right to Impose on local residents high planing board fees for potentially "essential" remodeling and extensions that many family's are in simple need,

Such Hardship on building permits will reduce the income the village had till now, and will fall at the end on us residence which is something that should be discussed in public in more detail and how much of decrease this will result, who will cover thus loss, ? Us tax payers?

The public deserves to know more.

Thanks.

September 10 2023

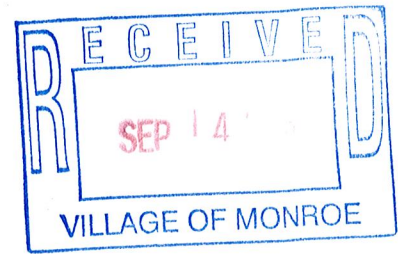
A handwritten signature in black ink, appearing to read "Aron Schwartz".

Aron Joseph schwartz
31 HALF Hollow Turn

I would wish to comment on the eminent domain, but I do not have any interested in that property, the only thing I request is that taxes shouldn't be raised in results, I can not take a new hit at the new assessment and traffic should be taken in consideration,

If it will cost me one dollar please use this column in opposition

Miriam Huss
325 high st
Village of Monroe NY.



Sep. 3. 2023

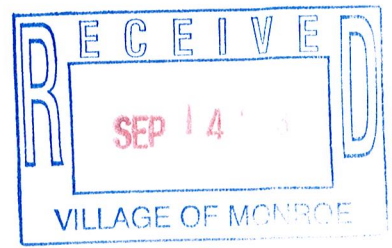
Thanks for giving me the opportunity to comment on the eminent domain action.

There is no details provided on the cost of this project not even a real rough estimate, on rehabilitation cost, acquisition cost, legal fees cost, possible litigation or lawsuits, will it come off the tax roll?, Who will benefit from it? What's need will this fulfill? What's the time estimate for project completion?,

Isn't this rolling for years and this village publicly couldn't come up with rehab funds? What's about the half million dollar repair for dam? What's with additional inflation to all prior estimates?

I do not wish to see this village to act negligent based on taste and desire in a property without a clear plan and assessed potential impact, in order to enable the public to properly review and comment.

Sincerely
Miriam Huss



Sep 13 2023

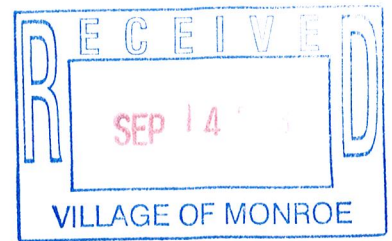
Re: 47 Lakes Public Hearing.

Im writing u in opposition of the latest eminent domain proceedings on 47 lakes, as a real close neighbor of the back part of the property, I'm worried on it being public land, this can affect out privacy with unwanted non-local visitors and strangers.

I also do not see any mention of the village has the funds or it will be forced on the local tax payers, I do not wish to see any unwanted increase, taxes are high as is and we shouldn't be in tue lookout for additional, the town messed up enough with unwanted acquisitions and we do not wish to suffer double as village residents just for personal political desires.

I ask this board to consider tax payers pocket as limited, and not force the unwanted.

*Miriam Weiss
260 Oakland
village of monroe*



Moshe Brach
13 Half hollow Turn
Monroe NY 10950
845-662-1903

Sep 11 2023

I do see that the village is now proposing definitions on commercial Vehicles
And are to include vehicles that transfer more than 10 passengers.

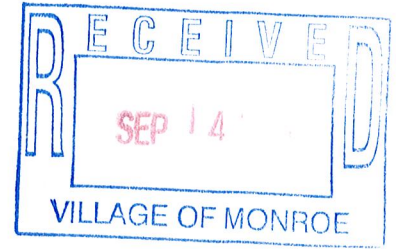
This will automatically include my personal van which is a 15 passenger van i
use for me and my family, its nonsense to not allow me to park my van i use
for personal needs (and as a active EMT, to save your lives) only,

I ask u not to vote on something so extreme and something not archiving any
goals with it besides unreasonable hardship on myself and many others in my
situation

Thanks in advance and hope u consider the real needs,

Moshe Brach

**Saul Maleh
2 Newbury St
Village of monroe NY.**



Sep 11 2023

Dear board of trustees.

Re: Eminent Domain act.

I'm I just purchased my home 3 months ago and me and my family live here now, I moved here to enjoy this peaceful beautiful village including beautiful parks and playgrounds for this village has to offer for as smith clove and Crain park, and I truly still believe positively in me and my families future in this village.

But Lately I am worried and concerned on this boards action on eminent domain, I'm not an expert on how eminent domain action works, but in the USA no lank can be taken away without fair compensation which is a couple of million dollars to the minimum, this was not mentioned by the board and concerns me if this will end up falling on the village residence and tax payers.

Such acquisition might take away the focus of this village in maintaining what we already have, this village has existing 130 acres (as per village website) of parkland and more then 50% is unused, to send now millions in this times for 20 or so acres when this will not fill any need should be considered negligent and a careless act with public funds,

I ask this board to take the local residence impact for priority.

Sincerely

SAUL MALEH